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HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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## **MINUTES OF PROCEEDINGS**

Standing Committee  
on

### **INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

### **Meeting No. 1**

**Wednesday, February 21, 2001**

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#### **ORDER OF THE DAY:**

Election of a Chair and Vice-Chairs









## MINUTES OF PROCEEDINGS

Meeting No. 1

Wednesday, February 21, 2001

The Standing Committee on Industry, Science and Technology met at 3:35 p.m. this day, in Room 536, Wellington Building, for the purpose of organization.

*Members of the Committee present:* Reg Alcock, Mauril Bélanger, Pierre Brien, Scott Brison, John Cannis, Jocelyne Girard-Bujold, Marlene Jennings, Preston Manning, Dan McTeague, Charlie Penson, James Rajotte, Andy Savoy, Paddy Torsney and Susan Whelan.

*Acting Member present:* Gary Pillitteri for Walt Lastewka.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley, Gérald Lafrenière and Dan Shaw, Research Officers.

Organization meeting, pursuant to Standing Order 106(1) and (2): Election of a Chair and Vice-Chairs

The Clerk of the Committee presided over the election of a Chair.

On motion of Marlene Jennings, it was agreed, - That Susan Whelan do take the Chair of this Committee.

Susan Whelan took the Chair.

On motion of John Cannis, it was agreed, - That Walt Lastewka be elected Vice-Chair of the Committee.

On motion of James Rajotte, it was agreed, - That Charlie Penson be elected Vice-Chair of the Committee.

On motion of Reg Alcock, it was agreed, - That the Chair, the Vice-Chairs, the Parliamentary Secretary, two representatives from the Liberal Party and one representative from the Bloc Québécois, the New Democratic Party and the Progressive Conservatives do compose the Sub-Committee on Agenda and Procedure.

On motion of Paddy Torsney it was agreed, - That a notice of 48 hours be required before any substantive motion may be presented to the Committee.

On motion of Paddy Torsney, it was agreed, - That pursuant to Standing Order 118(2), the Chair be authorized to hold meetings in order to receive and authorize the publishing of evidence when a quorum is not present provided that one member from the government party and one member of an opposition party, as well as the Chair, are present.

On motion of Mauril Bélanger, it was agreed, - That the Committee retain the services of two or more research officers from the Library of Parliament, to assist the Committee in its work, at the discretion of

the Chair.

On motion of Paddy Torsney, it was agreed, - That at the discretion of the Chair, reasonable travelling expenses, as per the regulations established by the Board of Internal Economy, be paid to witnesses invited to appear before the Committee, and that payment of these expenses be limited to two (2) representatives per organization.

On motion of Paddy Torsney, it was agreed, - That *in camera* meetings be transcribed, that the transcriptions be kept by the clerk of the Committee and be destroyed at the end of the session.

On motion of Paddy Torsney, it was agreed, - That each Committee member be allowed to have a staff person present during, in camera meetings unless the Committee decides otherwise.

On motion of Paddy Torsney, it was agreed, - That pursuant to S.O. 111(4), whenever an Order in Council for appointment or a certificate of nomination for appointment is referred to the Committee, the clerk shall obtain and circulate to each member of the Committee a copy of the Resume of each appointee.

On motion of Paddy Torsney, it was agreed, - That the Committee authorize the Chair, from time to time, as the need arises to take in conjunction with the Clerk of the Committee the appropriate measures to provide lunches for the Committee for working purposes, and that the cost of these lunches be charged to the appropriate budget of the Committee.

At 3:50 p.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 2**

**Thursday, March 1st, 2001**

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**ORDER OF THE DAY:**

Study of business lending to small and medium-sized enterprises

**WITNESSES:**

*Canadian Bankers Association:*

Carol Gray, Executive Vice-President, Small Business Banking, CIBC;

Jim Hamilton, Vice-President, Strategic Markets, Personal and Commercial Banking, Royal Bank of Canada;

Jim Howden, Senior Vice-President, Risk Management and Credit Services, HSBC Bank Canada;

Caroline Hubberstey, Advisor, Small Business;

Susan Kennedy-Loewen, Vice-President, Small Business Banking, Bank of Nova Scotia;

Derral Moriyama, Senior Vice-President, Small Business Banking, Bank of Montreal;

Nick Stitt, Vice-President, Small Business Banking, TD Financial Group;



Benjamin Tal, Senior Economist, CIBC;

Peter Thompson, Vice-President, Corporate Services, National Bank of Canada.





Français

## MINUTES OF PROCEEDINGS

Meeting No. 2

Thursday, March 1st, 2001

The Standing Committee on Industry, Science and Technology met at 9:05 a.m. this day, in Room 237-C, Centre Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, Pierre Brien, Scott Brison, John Cannis, Bev Desjarlais, Marlene Jennings, Dan McTeague, Charlie Penson, James Rajotte, Andy Savoy, Paddy Torsney and Susan Whelan.

*Acting Member present:* Ivan Grose for Walt Lastewka.

*In attendance: From the Library of Parliament:* Dan Shaw, Research Officer.

*Witnesses: From the Canadian Bankers' Association:* Carol Gray, Executive Vice-President, Small Business Banking, CIBC; Jim Hamilton, Vice-President, Strategic Markets, Personal and Commercial Banking, Royal Bank of Canada; Jim Howden, Senior Vice-President, Risk Management and Credit Services, HSBC; Caroline Hubberstey, Advisor, Small Business; Susan Kennedy-Loewen, Vice-President, Small Business Banking, Bank of Nova Scotia; Derrall Moriyama, Senior Vice-President, Small Business Banking, Bank of Montreal; Nick Stitt, Vice-President, Small Business Banking, TD Financial Group; Benjamin Tal, Senior Economist, CIBC; Peter Thompson, Vice-President, Business Banking, National Bank of Canada.

Pursuant to Standing Order 108(2), consideration of Business Lending to Small and Medium Sized Enterprises.

Caroline Hubberstey and Benjamin Tal, each made an opening statement, and with the other witnesses answered questions.

At 11:40 a.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 3**

**Tuesday, March 13, 2001**

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**ORDER OF THE DAY:**

Briefing on the Department of Industry and its Initiatives

**APPEARING:**

Hon. Brian Tobin, Minister of Industry

**WITNESS:**

*Industry Canada:*

Peter Harder, Deputy Minister.









Français

## MINUTES OF PROCEEDINGS

### Meeting No. 3

Tuesday, March 13, 2001

The Standing Committee on Industry, Science and Technology met in a televised session at 3:35 p.m. this day, in Room 253-D, Centre Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, Mauril Bélanger, Pierre Brien, Scott Brison, John Cannis, Bev Desjarlais, Marlene Jennings, Walt Lastewka, Preston Manning, Dan McTeague, Charlie Penson, James Rajotte, Andy Savoy, Paddy Torsney and Susan Whelan.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Appearing: From the Department of Industry:* The Hon. Brian Tobin, Minister of Industry.

*Witness: From the Department of Industry:* Peter Harder, Deputy Minister.

Pursuant to Standing Order 108(2), Briefing on the Department of Industry and its Initiatives.

The Hon. Brian Tobin made an opening statement, and with Peter Harder answered questions.

At 5:15 p.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 4**

**Tuesday, March 20, 2001**

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**ORDER OF THE DAY:**

Study of the Science and Technology Policies

**WITNESS:**

*Natural Sciences and Engineering Research Council of Canada:*

Thomas A. Brzustowski, President.







Français

## MINUTES OF PROCEEDINGS

Meeting No. 4

Tuesday, March 20, 2001

The Standing Committee on Industry, Science and Technology met at 9:07 a.m. this day, in Room 371, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, Mauril Bélanger, Pierre Brien, Bev Desjarlais, Marlene Jennings, Walt Lastewka, Dan McTeague, Charlie Penson, James Rajotte, Paddy Torsney and Susan Whelan.

*In attendance: From the Library of Parliament:* Dan Shaw, Research Officer.

*Witness: From the Natural Sciences and Engineering Research Council of Canada:* Dr. Thomas A. Brzustowski, President.

Pursuant to Standing Order 108(2), consideration of the Science and Technology Policies.

The witness made an opening statement and answered questions.

At 10:55 a.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 5**

**Tuesday, March 20, 2001**

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**ORDERS OF THE DAY:**

Study of the issues on the Golf Course, the Auberge and the Conflict of Interest Code

Statutory Review of the Lobbyists Registration Act

**WITNESSES:**

*Industry Canada:*

Diane Champagne-Paul, Registrar, Lobbyists Registration Branch;

Howard R. Wilson, Ethics Counsellor.

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## MINUTES OF PROCEEDINGS

### Meeting No. 5

Tuesday, March 20, 2001

The Standing Committee on Industry, Science and Technology met in a televised session at 3:35 p.m. this day, in Room 253-D, Centre Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, Pierre Brien, Marlene Jennings, Walt Lastewka, Preston Manning, Dan McTeague, Charlie Penson, Paddy Torsney and Susan Whelan.

*Acting Members present:* John Godfrey for Mauril Bélanger, John Bryden for John Cannis, Gurbax Malhi for Andy Savoy, Stockwell Day for James Rajotte, Gilles Duceppe for Jocelyne Girard-Bujold, Alexa McDonough for Bev Desjarlais, Joe Clark for Scott Brison and Peter MacKay for Scott Brison.

*Other Member present:* James Rajotte.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From the Department of Industry:* Howard R. Wilson, Ethics Counsellor; Diane Champagne-Paul, Registrar, Lobbyists Registration Branch.

At 3:35 p.m., Pursuant to Standing Order 108(2), the Committee proceeded to the consideration of the issues on the Golf Course, the Auberge and the *Conflict of Interest Code*.

Stockwell Day moved, - That this Committee send for Mr. Jonas Prince to appear as a witness regarding his ownership of the shares in 161341 Canada Inc.

Pursuant to the two (2) days notice motion adopted on Wednesday, February 21, 2001 the motion was tabled.

Howard Wilson made an opening statement and answered questions.

At 4:15 p.m., Pursuant to Standing Order 108(2), the Committee proceeded to the Statutory Review of the *Lobbyists Registration Act*.

Diane Champagne-Paul and Howard Wilson each made an opening statement , and answered questions.

At 5:30 p.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee



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HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGIE**

Chair: Susan Whelan, Lib.

**Meeting No. 6**

**Thursday, March 22, 2001**

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**ORDER OF THE DAY:**

Study of the Science and Technology Policies

**WITNESSES:**

*Coalition for Canadian Astronomy:*

Peter Janson, President and Chief Executive Officer, AMEC Inc.;

René Racine, Emeritus Professor, "Département de physique, Université de Montréal";

Russell A. Taylor, Co-Chair.









Français

## MINUTES OF PROCEEDINGS

Meeting No. 6

Thursday, March 22, 2001

The Standing Committee on Industry, Science and Technology met at 9:10 a.m. this day, in Room 112-N, Centre Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, Mauril Bélanger, Bev Desjarlais, Jocelyne Girard-Bujold, Marlene Jennings, Walt Lastewka, Charlie Penson, James Rajotte, Paddy Torsney and Susan Whelan.

*Acting Member present:* Chuck Strahl for Preston Manning.

*In attendance: From the Library of Parliament:* Dan Shaw and Daniel Brassard, Research Officers.

*Witnesses: From the Coalition for Canadian Astronomy:* Dr. Russell Taylor, President, Canadian Astronomical Society, Professor, University of Calgary; Peter Janson, Chair and Chief Executive Officer, AMEC Inc.; Prof. Rene Racine, Emeritus Professor, "Département de physique, Université de Montréal".

Pursuant to Standing Order 108(2), consideration of the Science and Technology Policies.

Charlie Penson moved, - That this Committee send for Mr. Jonas Prince to appear as a witness regarding his ownership of the shares in 161341 Canada Inc.

The Chair ruled that the ruling on the admissibility of the motion will be postponed to Tuesday, March 27, 2001.

And the question being put by the Chair:

Shall the ruling of the Chair be upheld?

And the result of the vote by show of hands, having been announced:

YEAS: 6; NAYS: 4;

Statement by the Chair:

"Since the decision of the Chair has not been negated, I declare the decision sustained."

Dr. Russell Taylor and Peter Janson each made an opening statement and, with Prof. Rene Racine answered questions.

At 10:50 a.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGIE**

Chair: Susan Whelan, Lib.

**Meeting No. 7**

**Tuesday, March 27, 2001**

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**ORDERS OF THE DAY:**

Study of the Statutory Review of the Lobbyists Registration Act

Other business: motions by Chuck Strahl and Charlie Penson

**WITNESS:**

*Canadian Manufacturers and Exporters:*

Jayson Myers, Senior Vice-President and Chief Economist.







Français

## MINUTES OF PROCEEDINGS

Meeting No. 7

Tuesday, March 27, 2001

The Standing Committee on Industry, Science and Technology met at 9:05 a.m. this day, in Room 308, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, Mauril Bélanger, Pierre Brien, John Cannis, Bev Desjarlais, Marlene Jennings, Walt Lastewka, Charlie Penson, James Rajotte, Andy Savoy, Paddy Torsney and Susan Whelan.

*Acting Members present:* Gilles Duceppe for Jocelyne Girard-Bujold, Joe Clark for Scott Brison, Stockwell Day for Preston Manning and Paul Macklin for Dan McTeague.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witness: From the Canadian Manufacturers and Exporters:* Jayson Myers, Senior Vice-President and Chief Economist.

At 9:05 a.m., pursuant to Standing Order 108(2), the Committee proceeded to the Statutory Review of the *Lobbyists Registration Act*.

Jayson Myers made an opening statement and answered questions.

At 10:01 a.m., the Committee proceeded with other business.

The Committee proceeded to the following motion moved by Chuck Strahl on Tuesday, March 20, 2001.

That this Committee send for Mr. Jonas Prince to appear as a witness regarding his ownership of the shares in 161341 Canada Inc.

### THE RULING BY THE CHAIR:

I'm now going to rule on the proposed motion that was moved on Thursday, March 22, 2001 by Mr. Strahl that reads:

"Pursuant to Standing Order 108, subsection 2, I move that this Committee send for Mr. Jonas Prince to appear as a witness regarding his ownership of the shares in 161341 Canada Inc."

I've taken the time to carefully review the motion now before this Committee as well as I've reviewed the minutes, meetings, motions and rulings from this Committee in 1999 relating

to the same issue now before us again.

I'm going to discuss two points. First, what is the mandate of this Committee; second the inability for a committee, on its own initiative, to inquire into the behaviour of a Member of Parliament.

First, pursuant to 108, subsection 1 of the Standing Orders, the Committee has the power to send for persons but that power should be exercised within the mandate of the Committee as provided by the Standing Order.

Standing Order 108, subsection 2 provides the mandate and stipulates, amongst other things, the following:

The Standing Committees are empowered to study and report on all matters relating to the mandate, management and operation of the department or departments of government which are assigned from time to time by the House.

Strictly speaking the mandate of the Standing Committee on Industry, Science and Technology is to monitor thirteen departments and agencies coming within the Industry portfolio.

Also the *Lobbyists Registration Act* comes within the Industry portfolio as well as the role of the Ethics Counsellor as related specifically to the *Lobbyists Registration Act*. As such, the Ethics Counsellor reports to the Minister of Industry.

The Ethics Counsellor is also responsible for the administration of the *Conflict of interest and post-employment code for public office holders*.

Pursuant to section 5.1 of this *Code*, the Ethics Counsellor reports to the Clerk of the Privy Council and to the Prime Minister.

The question I then ask is whether it is within the mandate of this Committee to invite Mr. Jonas Prince in order to discuss his business dealings with the Prime Minister.

It is not within the mandate of this Committee to examine any questions related to the *Conflict of interest in post-employment code for public office holders*. In inviting Mr. Prince the Committee will proceed indirectly in doing something it cannot do directly.

With regards to the second point, a Standing Committee can not, on its own initiative, examine the behaviour of a Member of Parliament. The law of privilege provides this can only be done in the House by tabling a substantive motion.

To quote Joseph Maingot in the *Parliamentary Privilege in Canada*, second edition page 241,

"The conduct of a Member may only be discussed in the House of Commons by way of substantive or distinct motion, i.e. a self-contained proposal submitted for the approval of the House, and drafted in such a way as to be capable of expressing a decision of the House".



This procedure is in place for the rights of all Members of Parliament regardless of their political affiliation. Parliamentary Committees were established to deal with matters of public policy, not the conduct of individual Members of Parliament.

It is my opinion that to proceed further would be damaging to the effective work of Parliamentary Committees, and serve to be damaging to the institution of Parliament as a whole. After careful thought and consideration, and for the above outlined reasons, I rule the motion out of order.

Whereupon, Stockwell Day appealed the decision of the Chair.

And the question being put on the decision, it was sustained on the following division:

**YEAS: 9**

Reg Alcock

Mauril Bélanger

John Cannis

Marlene Jennings

Walt Lastewka

Paul Macklin

Andy Savoy

Paddy Torsney

Bev Desjarlais

**NAYS: 6**

Stockwell Day

Charlie Penson

James Rajotte

Pierre Brien

Jocelyne Girard-Bujold

Joe Clark

The Committee proceeded to the following motion moved by Charlie Penson on Thursday, March 22, 2001.

That the Committee hold meetings within the next two weeks on to consider and report on the 2001-02 Main Estimates, Votes 1 and 5 for the Department of Industry;

That the Committee invite the Minister and Ethics Counsellor to appear in the next two weeks and;

That the Minister and Ethics Counsellor provide information relating to future expenditure plans and priorities of the Department.

Charlie Penson moved the following amendment:

That the Minister of Industry be replaced by the Deputy Minister.

After debate, the question being put on the amendment it was defeated by a show of hands

The question being put on the motion, it was agreed on the following division:

**YEAS: 9**

Mauril Bélanger

Pierre Brien

Bev Desjarlais

Marlene Jennings

Charlie Penson

Gilles Duceppe

Joe Clark

Stockwell Day

**NAYS: 6**

Reg Alcock

John Cannis

Walt Lastewka

Andy Savoy

Paddy Torsney

Paul Macklin

Pursuant to the two (2) days notice of motion adopted on Wednesday, February 21, 2001, the following motions were moved:

Gilles Duceppe moved:

That François Beaudoin be asked to appear before the Standing Committee on Industry, Science and Technology in order to give evidence on the Prime Minister's involvement in the Grand-Mère golf club issue and in the decisions made by the Business Development Bank of Canada regarding the Auberge.

Pierre Brien moved:

That Mélissa Marcotte be asked to appear before the Standing Committee on Industry, Science and Technology in order to give evidence on the Auberge Grand-Mère issue.

Joe Clark moved:

That Ms. Debbie Weinstein be called as a witness to the Committee in its examination of the work of the Ethics Counsellor.

Stockwell Day moved:

That this committee send for Mr. Gilles Corriveau to appear as a witness regarding the ownership of the shares in 161341 Canada Inc.

The Chair presented the Budget on Cape Canaveral launch for Thursday, April 19, 2001.

After debate, the question being put on the Budget it was defeated by a show of hands.

At 10:35 a.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee







Français

## MINUTES OF PROCEEDINGS

Meeting No. 8

Tuesday, March 27, 2001

The Standing Committee on Industry, Science and Technology met at 3:30 p.m. this day, in Room 269, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, Pierre Brien, John Cannis, Bev Desjarlais, Walt Lastewka, James Rajotte, Andy Savoy, Paddy Torsney and Susan Whelan.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley, Research Officer.

*Witnesses: From Grainger and Associates:* Brian Grainger. *From Democracy Watch:* Duff Conacher, Coordinator; Aaron Freeman, Board Member.

Pursuant to Standing Order 108(2), the Committee proceeded to the Statutory Review of the *Lobbyists Registration Act*.

Brian Grainger and Duff Conacher each made an opening statement and, with Aaron Freeman answered questions.

At 4:45 p.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee



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HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 9**

**Thursday, March 29, 2001**

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**ORDER OF THE DAY:**

Study of the Science and Technology Policies

**APPEARING:**

Gilbert Normand, Secretary of State (Science, Research and Development)

**WITNESS:**

*Industry Canada:*

Marie Tobin, Director General, Innovation Policy Branch.









## MINUTES OF PROCEEDINGS

Meeting No. 9

Thursday, March 29, 2001

The Standing Committee on Industry, Science and Technology met at 9:05 a.m. this day, in Room 308, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Mauril Bélanger, Pierre Brien, Scott Brison, John Cannis, Bev Desjarlais, Jocelyne Girard-Bujold, Marlene Jennings, Walt Lastewka, Charlie Penson, James Rajotte, Andy Savoy and Susan Whelan.

*Acting Members present:* Gerry Byrne for Reg Alcock, Paul Macklin for Dan McTeague and David Price for Paddy Torsney.

*In attendance: From the Library of Parliament:* Dan Shaw, Research Officer.

*Appearing:* The Hon. Gilbert Normand, Secretary of State, (Science, Research and Development).

*Witnesses: From the Department of Industry:* Marie Tobin, Director General, Innovation Policy Branch; George Michaliszyn, Director, Life Sciences Branch.

Pursuant to Standing Order 108(2), consideration of the Science and Technology Policies.

The Hon. Gilbert Normand made an opening statement and with Marie Tobin answered questions.

The Committee proceeded to its future business.

Mauril Bélanger moved, -- That the House of Commons Standing Committee on Industry, Science and Technology support the Long Range Plan (LRP) for Astronomy and Astrophysics. The LRP proposes an additional \$16.4 million per year for 10 years totalling \$164 million to be allocated to the National Research Council of Canada (NRC) and the Natural Sciences and Engineering Research Council of Canada (NSERC).

James Rajotte moved the following amendment:

To add the following words after the word "astrophysics":

"subject to the Minister of Industry and the Treasury Board providing this committee with the framework of decision-making criteria for assessing and prioritizing funding for large-scale scientific projects, and this committee satisfying itself that the LRP meets those criteria".

After debate, the question being put on the amendment, it was defeated on the following division.

YEAS: 2

James Rajotte

Jocelyne Girard-Bujold

**NAYS: 8**

Gerry Byrne

Mauril Bélanger

John Cannis

Marlene Jennings

Walt Lastewka

Paul Macklin

Andy Savoy

David Price

The question being put on the motion, it was agreed to on the following division:

**YEAS: 9**

Reg Alcock

Mauril Bélanger

John Cannis

Marlene Jennings

Walt Lastewka

Paul Macklin

Andy Savoy

David Price

Jocelyne Girard-Bujold

**NAYS: 2**

James Rajotte

Bev Desjarlais

The Committee proceeded to the consideration of the following motions, tabled on Tuesday, March 27, 2001, pursuant to 48 hours notice motion adopted on Wednesday, February 21, 2001:

Moved by Gilles Duceppe, -- That Pursuant to Standing Order 108(2), --That François Beaudoin be asked to appear before the Standing Committee on Industry, Science and Technology in order to give evidence on the Prime Minister's involvement in the Grand-Mère golf club issue and in the decisions made by the Business Development Bank of Canada regarding the Auberge.

Moved by Pierre Brien, -- That pursuant to Standing Order 108(2), I move that Mélissa Marcotte be asked to appear before the Standing Committee on Industry, Science and Technology in order to give evidence on the Auberge Grand-Mère issue.

Moved by Joe Clark, -- That pursuant to Standing Order 108(2), That Ms. Debbie Weinstein be called as a witness to the Committee in its examination of the work of the Ethics Counsellor.

Moved by Stockwell Day, -- That pursuant to Standing Order 108(2), I move that this committee send for Mr. Gilles Corriveau to appear as a witness regarding the ownership of the shares in 161341 Canada Inc.

**The Ruling by the Chair:**

Based on the same reasons of the Ruling I gave on Tuesday, March 27, 2001 on a similar motion, I rule the four motions, out of order.

Mauril Bélanger moved, -- That the decision of the Chair be sustained.

The question being put on the motion, it was agreed.

At 10:50 a.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 10**

**Tuesday, April 3, 2001**

---

**ORDER OF THE DAY:**

Consideration of the Science and Technology Policies

**WITNESSES:**

*Canada Foundation for Innovation:*

Carmen Charette, Senior Vice-President;

Manon Harvey, Vice-President, Corporate Services;

David W. Strangway, President and Chief Executive Officer.







Français

## MINUTES OF PROCEEDINGS

Meeting No. 10

Tuesday, April 3, 2001

The Standing Committee on Industry, Science and Technology met at 9:10 a.m. this day, in Room 308, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Mauril Bélanger, Pierre Brien, John Cannis, Bev Desjarlais, Marlene Jennings, Walt Lastewka, James Rajotte and Susan Whelan.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From Canada Foundation for Innovation:* Dr. David W. Strangway, President and Chief Executive Officer; Manon Harvey, Vice-President, Finance; Carmen Charette, Senior Vice-President.

Pursuant to Standing Order 108(2), consideration of the Science and Technology Policies.

Dr. David W. Strangway made an opening statement and, with Manon Harvey and Carmen Charette answered questions.

At 10:45 a.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 11**

**Tuesday, April 3, 2001**

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**ORDER OF THE DAY:**

Main Estimates for the fiscal year ending March 31, 2002: Votes 1, 5, L10, L15, 20, 25, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100, 105, 110, 115, 120 and 125 under Industry

**APPEARING:**

Hon. Brian Tobin, Minister of Industry

**WITNESSES:**

*Industry Canada:*

Peter Harder, Deputy Minister of Industry;

Howard R. Wilson, Ethics Counsellor.

APR 2 2001







## MINUTES OF PROCEEDINGS

Meeting No. 11

Tuesday, April 3, 2001

The Standing Committee on Industry, Science and Technology met in a televised session at 3:35 p.m. this day, in Room 253-D, Centre Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, Mauril Bélanger, Pierre Brien, Scott Brison, John Cannis, Marlene Jennings, Dan McTeague, Charlie Penson, Andy Savoy and Susan Whelan.

*Acting Members present:* Gary Pillitteri for Walt Lastewka; Sue Barnes for Paddy Torsney; Deepak Obhrai for Preston Manning; Lorne Nystrom for Bev Desjarlais; Gilles Duceppe for Jocelyne Girard-Bujold; Bob Speller for Dan McTeague and Dale Johnston for James Rajotte.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Appearing: From the Department of Industry:* The Hon. Brian Tobin, Minister of Industry.

*Witnesses: From the Department of Industry:* Howard R. Wilson, Ethics Counsellor; Diane Champagne-Paul, Registrar, Lobbyists Registration Branch; Peter Harder, Deputy Minister; Jennifer Benimadhu, Corporate Comptroller.

Pursuant to the Order of Reference of the House dated February 27, 2001, Main Estimates for the fiscal year ending March 31, 2002, Votes 1, 5, L10, L15, 20, 25, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100, 105, 110, 115, 120 and 125, under INDUSTRY.

The Hon. Brian Tobin made an opening statement and, answered questions.

At 4:41 p.m., the sitting was suspended.

At 4:45 p.m., the sitting resumed.

Howard Wilson made an opening statement and answered questions.

Gilles Duceppe, pursuant to the 48 hours notice adopted on Wednesday, February 21, 2001 moved:

"That the votes allocated to the duties of the Ethics Counsellor under the heading "Industry" for the fiscal year ending March 31, 2002 not be renewed."

At 5:30 p.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 12**

**Thursday, April 5, 2001**

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**ORDERS OF THE DAY:**

Study of motion of Gilles Duceppe

Study of the Statutory Review of the Lobbyists Registration Act

**WITNESSES:**

*Government Relations Institute of Canada:*

Ian M. Faris, Director, Government Affairs, AT&T Canada;

Carole Presseault, Health Policy Manager, Canadian Nurses Association;

Tony Stikeman, President.

*GPC International:*

John Scott, Vice-President and General Counsel.









## MINUTES OF PROCEEDINGS

Meeting No. 12

Thursday, April 5, 2001

The Standing Committee on Industry, Science and Technology met at 9:05 a.m. this day, in Room 308, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, Mauril Bélanger, Pierre Brien, John Cannis, Bev Desjarlais, Marlene Jennings, Andy Savoy and Susan Whelan.

*Acting Members present:* John Richardson for Dan McTeague; Ivan Grose for Walt Lastewka; and, Peter Adams for Paddy Torsney.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From the Government Relations Institute of Canada:* Tony Stikeman, President; Ian M. Faris, Director, Government Affairs, AT&T Canada. *From GPC International:* John Scott, Vice-President and General Council; Carole Presseault, Health Policy Manager, Canadian Nurses Association.

Pursuant to the (two) 2 days notice motion adopted on Wednesday, February 21, 2001 the Committee consideration of the following motion of Gilles Duceppe:

Pierre Brien moved,

--"That the money of the vote (1) allocated to the duties of the Ethics Counsellor under the heading "Industry" for the fiscal year ending March 31, 2002 be reduced by \$1, 965."

And the question being put on the motion, it was adopted by a show of hands:

YEAS: 1; NAYS: 6

Pursuant to Standing Order 108(2), the Committee proceeded to the Statutory Review of the *Lobbyists Registration Act*.

Tony Stikeman and John Scott each made an opening statement and, with Ian Faris and Carole Presseault answered questions.

At 10:45 a.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 13**

**Tuesday, April 24, 2001**

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**ORDER OF THE DAY:**

Study of the Science and Technology Policies – Roundtable: Science and Technology Contributions to Knowledge-based Economy

**WITNESSES:**

*Alliance of Manufacturers & Exporters Canada:*

Jayson Myers, Senior Vice-President and Chief Economist.

*Statistics Canada:*

John R. Baldwin, Director, Microeconomics and Analysis.

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## MINUTES OF PROCEEDINGS

Meeting No. 13

Tuesday, April 24, 2001

The Standing Committee on Industry, Science and Technology met at 9:10 a.m. this day, in Room 269, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, Mauril Bélanger, Pierre Brien, Walt Lastewka, Charlie Penson, Paddy Torsney and Susan Whelan.

*Acting Member present:* Cheryl Gallant for Preston Manning.

*In attendance: From the Library of Parliament:* Dan Shaw and Daniel Brassard, Research Officers

*Witnesses: From Statistics Canada:* Dr. John R. Baldwin, Director, Micro Economic Studies and Analysis. *From the Alliance of Manufacturers & Exporters Canada:* Jayson Myers, Senior Vice-President and Chief Economist, Co-Chair, Business Coalition on Cost Recovery.

Pursuant to Standing Order 108(2), consideration of the Science and Technology Policies:

### **Roundtable: Science and Technology Contributions to Knowledge-based Economy.**

Dr. John R. Baldwin and Jayson Myers each made an opening statement and answered questions.

At 11:00 a.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee





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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 14**

**Tuesday, April 24, 2001**

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**ORDER OF THE DAY:**

Statutory Review of the Lobbyists Registration Act

**WITNESSES:**

*Alternatives North:*

Suzette Montreuil, Coordinator.

*ARC Publications:*

John Chenier, Editor and Publisher.

*As Individual:*

Sean Moore.







## MINUTES OF PROCEEDINGS

Meeting No. 14

Tuesday, April 24, 2001

The Standing Committee on Industry, Science and Technology met at 3:35 p.m. this day, in Room 308, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Pierre Brien, Marlene Jennings, Walt Lastewka, Dan McTeague, Charlie Penson, Paddy Torsney and Susan Whelan.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley, Research Officer.

*Witnesses: From ARC Publications:* John Chenier, Editor and Publisher. *From Alternatives North:* Suzette Montreuil, Coordinator. *As Individual:* Sean Moore, Public Policy and Public Affairs Advisor, Gowling Lafleur Henderson LLP.

Pursuant to Standing Order 108(2), the Committee proceeded to the Statutory Review of the *Lobbyists Registration Act*.

John Chenier, Suzette Montreuil and Sean Moore each made an opening statement, and answered questions.

At 5:20 p.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 15**

**Thursday, April 26, 2001**

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**ORDER OF THE DAY:**

Statutory Review of the Lobbyists Registration Act

**WITNESSES:**

*Bell Canada:*

Linda Gervais, Vice-President, Federal Government Relations.

*Grey, Clark, Shih and Associates Limited:*

Peter Clark, President.

*Hillwatch Inc.:*

Scott Proudfoot, Co-Chair;

Michael Teeter, Co-Chair.

*"Pierre Morin Conseils Limitée":*

Pierre Morin, President.







## MINUTES OF PROCEEDINGS

Meeting No. 15

Thursday, April 26, 2001

The Standing Committee on Industry, Science and Technology met at 9:05 a.m. this day, in Room 112-N, Centre Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Mauril Bélanger, Pierre Brien, John Cannis, Bev Desjarlais, Walt Lastewka, Dan McTeague, Charlie Penson, Paddy Torsney, Susan Whelan.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley, Research Officer.

*Witnesses: From Bell Canada:* Linda C. Gervais, Vice-President, Federal Government Relations. *From "Pierre Morin Conseils Limitée":* Pierre Morin, President. *From Grey, Clark, Shih and Associates Limited:* Peter Clark, President. *From Hillwatch Inc.:* Scott Proudfoot, Co-Chair; Michael Teeter, Co-Chair.

Pursuant to Standing Order 108(2), the Committee proceeded to the Statutory Review of the *Lobbyists Registration Act*.

At 9:05 a.m., Linda Gervais made an opening statement, and answered questions.

At 9:55 a.m., Pierre Morin, Peter Clark, Scott Proudfoot and Michael Teeter each made an opening statement, and answered questions.

At 11:00 a.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 16**

**Tuesday, May 1st, 2001**

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**ORDER OF THE DAY:**

Study of the Science and Technology Policies

**WITNESSES:**

*Genome Canada:*

Martin Godbout, Executive Director.

*National Research Council of Canada:*

Walter Davidson, Coordinator, National Facilities, Canadian Light Source;

Peter A. Hackett, Vice-President, Research and Technology Development;

John Root, Program Leader, Neutron Program for Materials Research, Steacie Institute for Molecular Sciences, SIMS.









Français

## MINUTES OF PROCEEDINGS

Meeting No. 16

Tuesday, May 1st, 2001

The Standing Committee on Industry, Science and Technology met at 9:05 a.m. this day, in Room 237-C, Centre Block, the Vice-Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Reg Alcock, Mauril Bélanger, Pierre Brien, John Cannis, Bev Desjarlais, Walt Lastewka, Charlie Penson, James Rajotte and Paddy Torsney.

*In attendance: From the Library of Parliament:* Dan Shaw, Research Officer.

*Witnesses: From Genome Canada:* Martin Godbout, Executive Director. *From the National Research Council of Canada:* Dr. Peter A. Hackett, Vice President, Research and Technology Development; Dr. Walter Davidson, Coordinator (National Facilities), Canadian Light Source; Dr. John Root, Program Leader, Neutron Program for Materials Research, Steacie Institute for Molecular Sciences SIMS.

Pursuant to Standing Order 108(2), consideration of the Science and Technology Policies:

### **Roundtable: Specific Large and Specialized R & D Projects.**

Martin Godbout, Dr. John Root, Dr. Walter Davidson and Dr. Peter A. Hackett each made an opening statement and, answered questions.

At 10:35 a.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 17**

**Tuesday, May 1st, 2001**

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**ORDER OF THE DAY:**

Study of the Science and Technology Policies—Roundtable: Research and Development in Biotechnologies

**WITNESSES:**

*Coalition for Biomedical and Health Research:*

Barry D. McLennan, Doctor and Chair;

Charles Pitts, Executive Director.

*National Research Council of Canada:*

Peter A. Hackett, Doctor and Vice-President, Research and Technology Development.

*As Individual:*

Thomas J. Hudson.









Français

## MINUTES OF PROCEEDINGS

Meeting No. 17

Tuesday, May 1st, 2001

The Standing Committee on Industry, Science and Technology met at 10:40 a.m. this day, in Room 237-C, Centre Block, the Vice-Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Reg Alcock, Mauril Bélanger, Pierre Brien, John Cannis, Bev Desjarlais, Walt Lastewka, James Rajotte and Paddy Torsney.

*In attendance: From the Library of Parliament:* Dan Shaw, Research Officer.

*Witnesses: From the Coalition for Biomedical and Health Research:* Dr. Barry D. McLennan, Chair; Charles Pitts, Executive Director. *As Individual:* Dr. Thomas J. Hudson, Director, Montreal Genome Centre, McGill University, Assistant Director Centre for Genome Research, Whitehead Institute / Massachusetts Institute of Technology. *From the National Research Council of Canada:* Dr. Peter A. Hackett, Vice President, Research and Technology Development.

Pursuant to Standing Order 108(2), consideration of the Science and Technology Policies:

### **Roundtable: Research and Development in Biotechnologies.**

Dr. Barry D. McLennan, Dr. Thomas J. Hudson and Dr. Peter A. Hackett each made an opening statement and with Charles Pitts answered questions.

At 12:05 p.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 18**

**Tuesday, May 1, 2001**

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**ORDER OF THE DAY:**

Study of the Statutory Review of the Lobbyists Registration Act

**WITNESSES:**

*Canadian Society of Association Executives:*

Michael Anderson, President and Chief Executive Officer;

Bob Hamp, Manager, Communications.







Français

## MINUTES OF PROCEEDINGS

Meeting No. 18

Tuesday, May 1st, 2001

The Standing Committee on Industry, Science and Technology met at 3:45p.m. this day, in Room 308, West Block, the Vice-Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Pierre Brien, John Cannis, Walt Lastewka and Dan McTeague.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley, Research Officer.

*Witnesses: From the Canadian Society of Association Executives:* Michael Anderson, President and Chief Executive Officer; Bob Hamp, Manager, Communications.

Pursuant to Standing Order 108(2), the Committee proceeded to the Statutory Review of the *Lobbyists Registration Act*.

Michael Anderson made an opening statement and answered questions.

At 4:10 p.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee





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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 19**

**Thursday, May 3, 2001**

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**ORDER OF THE DAY:**

Study of the Statutory review of the Lobbyists Registration Act

**WITNESSES:**

*Department of Justice Canada:*

Irving Miller, Senior Counsel, Commercial Law Division.

*Industry Canada:*

Diane Champagne-Paul, Registrar, Lobbyists Registration Branch.





Français

## MINUTES OF PROCEEDINGS

Meeting No. 19

Thursday, May 3, 2001

The Standing Committee on Industry, Science and Technology met at 9:10 a.m. this day, in Room 371, West Block, the Vice-Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Reg Alcock, Mauril Bélanger, Pierre Brien, Bev Desjarlais, Marlene Jennings, Walt Lastewka and Dan McTeague.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley, Research Officer.

*Witnesses: From the Department of Industry:* Diane Champagne-Paul, Registrar, Lobbyists Registration Branch. *From the Department of Justice:* Irving Miller, Senior Counsel, Commercial Law Division.

Pursuant to Standing Order 108(2), the Committee proceeded to the Statutory Review of the *Lobbyists Registration Act*.

Diane Champagne-Paul made an opening statement and, with Irving Miller answered questions.

At 10:00 a.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 20**

**Tuesday, May 8, 2001**

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**ORDER OF THE DAY:**

Study of the Science and Technology Policies—Roundtable I: Government of Canada Research Agencies and Roundtable II: Value for Money in Research and Development Programs

**WITNESSES:**

**Roundtable I**

*Canadian Space Agency:*

Mac Evans, President.

*National Research Council of Canada:*

Lucie Lapointe, General Secretary.

*Networks of Centres of Excellence:*

Jean-Claude Gavrel, Director.

**Roundtable II**

*Department of Finance Canada:*

Paul Berg-Dick, Director, Business Income Tax Division, Tax Policy Branch.

*Industry Canada:*

Jeffrey Parker, Executive Director, Technology Partnerships Canada.



*National Research Council of Canada:*

Margot Montgomery, Director General, Industrial Research Assistance Program.

*Office of the Auditor General of Canada:*

Richard Flageole, Assistant Auditor General;

Peter Simeoni, Principal, Audit Operations Branch.





Français

## MINUTES OF PROCEEDINGS

Meeting No. 20

Tuesday, May 8, 2001

The Standing Committee on Industry, Science and Technology met at 9:05 a.m. this day, in Room 209, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, Mauril Bélanger, Pierre Brien, John Cannis, Marlene Jennings, Walt Lastewka, Charlie Penson, James Rajotte, Paddy Torsney and Susan Whelan.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From the National Research Council of Canada:* Lucie Lapointe, General Secretary. *From the Canadian Space Agency:* Mac Evans, President. *From the Networks of Centres of Excellence:* Jean-Claude Gavrel, Director. *From the Office of the Auditor General of Canada:* Richard Flageole, Assistant Auditor General; Peter Simeoni, Principal, Audit Operations Branch. *From the Department of Finance:* Paul Berg-Dick, Director, Business Income Tax Division, Tax Policy Branch. *From the Department of Industry:* Jeffrey Parker, Executive Director, Technology Partnerships Canada. *From the National Research Council of Canada:* Margot Montgomery, Director General, Industrial Research Assistance Program (IRAP).

Pursuant to Standing Order 108(2), consideration of the Science and Technology Policies.

At 9:05 a.m., the Committee proceeded to the following Roundtable: **Government of Canada Research Agencies.**

Lucie Lapointe, Mac Evans and Jean-Claude Gavrel each made an opening statement and, answered questions.

At 10:45 a.m., the Committee proceeded to the following Roundtable: **Value for Money in Research and Development Programs.**

Richard Flageole, Paul Berg-Dick, Jeffrey Parker and Margot Montgomery each made an opening statement and, answered questions.

At 12:15 p.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 21**

**Tuesday, May 8, 2001**

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**ORDER OF THE DAY:**

Statutory Review of the Lobbyists Registration Act

**WITNESSES:**

*Canadian Bar Association:*

Simon V. Potter, Second Vice-President;

Tamra L. Thomsom, Director, Legislation and Law Reform.







Français

## MINUTES OF PROCEEDINGS

Meeting No. 21

Tuesday, May 8, 2001

The Standing Committee on Industry, Science and Technology met at 3:35 p.m. this day, in Room 269, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, Pierre Brien, John Cannis, Walt Lastewka, Andy Savoy and Susan Whelan.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley, Research Officer.

*Witnesses: From the Canadian Bar Association:* Simon V. Potter, Second Vice-President; Tamra L. Thomson, Director, Legislation and Law Reform.

Pursuant to Standing Order 108(2), the Committee proceeded to the Statutory Review of the *Lobbyists Registration Act*.

Tamra L. Thomson and Simon V. Potter each made an opening statement and, answered questions.

At 4:37 p.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 22**

**Thursday, May 10, 2001**

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**ORDER OF THE DAY:**

Study of the Main Estimates for the fiscal year ending March 31, 2002: Votes 1, 5, L10, L15, 20, 25, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100, 105, 110, 115, 120 and 125, under Industry

**APPEARING:**

Hon. Gilbert Normand, Secretary of State (Science, Research and Development)

Hon. Robert Thibault, Minister of State (Atlantic Canada Opportunities Agency)

**WITNESSES:**

*Atlantic Canada Opportunities Agency:*

Peter Estey, Vice-President, Finances, Corporate Services;

Michael Horgan, President;

Paul LeBlanc, Vice-President, Policy and Programs.

*Industry Canada:*

Marie Tobin, Director General, Innovation Policy Branch, Industry and Science Policy Sector.







## MINUTES OF PROCEEDINGS

Meeting No. 22

Thursday, May 10, 2001

The Standing Committee on Industry, Science and Technology met at 9:00 a.m. this day, in Room 701, La Promenade Building, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, Mauril Bélanger, John Cannis, Marlene Jennings, Walt Lastewka, Dan McTeague, James Rajotte, Andy Savoy, Paddy Torsney and Susan Whelan.

*Acting Members present:* Greg Thompson for Scott Brison and Benoît Sauvageau for Pierre Brien.

*In attendance: From the Library of Parliament:* Dan Shaw, Research Officer.

*Appearing:* The Hon. Gilbert Normand, Secretary of State, (Science, Research and Development); The Hon. Robert Thibault, Minister of State (Atlantic Canada Opportunities Agency).

*Witnesses: From the Department of Industry:* Marie Tobin, Director General, Innovation Policy Branch. *From the Atlantic Canada Opportunities Agency:* Michael Horgan, President.

Pursuant to the Order of Reference of the House dated February 27, 2001, Main Estimates for the fiscal year ending March 31, 2002, Votes 1, 5, L10, L15, 20, 25, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100, 105, 110, 115, 120 and 125, under INDUSTRY.

At 9:00 a.m., The Hon. Gilbert Normand made an opening statement and, with Marie Tobin answered questions.

At 10:05 a.m., The Hon. Robert Thibault made an opening statement and, with Michael Horgan answered questions.

At 11:00 a.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 23**

**Tuesday, May 15, 2001**

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**ORDER OF THE DAY:**

Study of the Science and Technology Policies—Roundtable I: Research and Development at Universities and Roundtable II: The Three Granting Councils

**WITNESSES:**

**Roundtable I:**

*Association of Universities and Colleges of Canada:*

Robert J. Giroux, President.

*Canadian Association of University Research Administrators:*

Bruce Hutchinson, Past President.

*Expert Panel on Canada's Role in International Science and Technology:*

René Simard, Chair.

*Expert Panel on the Commercialization of University Research:*

Pierre Fortier, Chair.

**Roundtable II:**

*Canadian Institutes of Health Research:*

Allan Bernstein, President.

*Natural Sciences and Engineering Research Council of Canada:*

Thomas A. Brzustowski, President.

*Social Sciences and Humanities Research Council of Canada:*

René Durocher, Executive Director, Canada Research Chairs Program;

Marc Renaud, President.



## MINUTES OF PROCEEDINGS

Meeting No. 23

Tuesday, May 15, 2001

The Standing Committee on Industry, Science and Technology met at 9:00 a.m. this day, in Room 209, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, Pierre Brien, John Cannis, Bev Desjarlais, Marlene Jennings, Walt Lastewka, Dan McTeague, James Rajotte, Paddy Torsney and Susan Whelan.

*In attendance: From the Library of Parliament:* Dan Shaw, Research Officer.

*Witnesses: From the Commercialization of University Research:* Pierre Fortier. *From the Canada's Role in International Science and Technology:* Dr. René Simard, Chair. *From the Canadian Association of University Research Administrators:* Bruce Hutchinson, Past President. *From the Association of Universities and Colleges of Canada:* Robert J. Giroux, President. *From the Natural Sciences and Engineering Research Council of Canada:* Dr. Thomas A. Brzustowski, President. *From the Social Sciences and Humanities Research Council of Canada:* Dr. Marc Renaud, President; Dr. René Durocher, Executive Director, Canada Research Chairs Program. *From the Canadian Institutes of Health Research:* Dr. Allan Bernstein, President.

Pursuant to Standing Order 108(2), consideration of the Science and Technology Policies:

At 9:00 a.m., the Committee proceeded to the following Roundtable: **Research and Development at Universities.**

Pierre Fortier, Dr. René Simard, Bruce Hutchinson and Robert J. Giroux each made an opening statement and, answered questions.

Pursuant to Standing Order 108(2), consideration of the Science and Technology Policies:

At 10:40 a.m., the Committee proceeded to the following Roundtable: **The Three Granting Councils.**

Dr. Thomas A. Brzustowski, Dr. Marc Renaud and Dr. Allan Bernstein each made an opening statement and, with Dr. René Durocher answered questions

At 12:15 p.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 24**

**Tuesday, May 15, 2001**

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**ORDER OF THE DAY:**

Study of Bill S-17, An Act to amend the Patent Act

**WITNESSES:**

*Industry Canada:*

Susan Bincoletto, Director, Special Projects Directorate;

Andreï Sulzenko, Assistant Deputy Minister, Industry and Science Policy;

Rob Sutherland-Brown, Senior Legal Counsel.







## MINUTES OF PROCEEDINGS

Meeting No. 24

Tuesday, May 15, 2001

The Standing Committee on Industry, Science and Technology met at 3:30 p.m. this day, in Room 308, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Pierre Brien, Scott Brison, John Cannis, Bev Desjarlais, Walt Lastewka, Dan McTeague, James Rajotte, Andy Savoy, Paddy Torsney and Susan Whelan.

*In attendance: From the House of Commons:* Geoffrey P. Kieley, research officer; *From the Library of Parliament:* Gérald Lafrenière, researcher; Nathalie Pothier; Dan Shaw.

*Witnesses: From the Department of Industry:* Andreï Sulzenko, Assistant Deputy Minister, Industry and Science Policy; Robert Main, Acting Director General, Corporate Governance Branch; Susan Bincoletto, Director, Special Projects Directorate; Rob Sutherland-Brown, Senior Legal Counsel.

The Order of Reference dated Tuesday, May 15, 2001, being now read as follows:

ORDERED, -- That Bill S-17, An Act to amend the Patent Act be now read a second time and referred to the Standing Committee on Industry, Science and Technology.

The Chair called Clause 1.

Andreï Sulzenko made an opening statement and, with Rob Sutherland-Brown and Susan Bincoletto answered questions.

At 5:10 p.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 25**

**Thursday, May 17, 2001**

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**ORDERS OF THE DAY:**

Future business in camera

Study of Bill S-17, An Act to amend the Patent Act

**WITNESSES:**

*Canadian Drug Manufacturers Association:*

Ed Hore, Legal Counsel;

Jim Keon, President.

*Canadian Health Coalition:*

Daniel Benedict, Co-Chair (Ontario);

Kathleen Connors, Chairperson;

Joel Lexchin, Doctor and Policy Adviser;

Michael McBane, National Coordinator.

*Canadian Pensioners Concerned Incorporated:*

Vera Brown, First Vice-President, National.

*Congress of Union Retirees of Canada:*

Mary Eady, Ontario National Representative;

Larry Wagg, First Vice-President.



## MINUTES OF PROCEEDINGS

Meeting No. 25

Thursday, May 17, 2001

The Standing Committee on Industry, Science and Technology met at 9:00 a.m. this day, in Room 269, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, Mauril Bélanger, Pierre Brien, John Cannis, Bev Desjarlais, Marlene Jennings, Walt Lastewka, Dan McTeague, James Rajotte, Andy Savoy, Paddy Torsney and Susan Whelan.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From the Canadian Drug Manufacturers Association:* Jim Keon, President; Ed Hore, Legal Counsel. *From the Canadian Pensioners Concerned Incorporated:* Vera Brown, First Vice-President, National. *From the Congress of Union Retirees of Canada:* Larry Wagg, First Vice-President; Mary Eady, Ontario National Representative. *From the Canadian Health Coalition:* Michael McBane, National Co-ordinator; Kathleen Connors, Chairperson; Joel Lexchin, Policy Advisor; Daniel Benedict, Co-Chair, Ontario Health Coalition.

Pursuant to its Order of Reference of Tuesday, May 15, 2001, the Committee resumed consideration of Bill S-17, *An Act to amend the Patent Act* (See Minutes of Proceedings, Tuesday, May 15, 2001, Meeting No. 24).

At 9:00 a.m., the Committee proceeded *in camera* to the future business.

At 9:36 a.m., the Committee proceeded to the consideration of Bill S-17, *An Act to amend the Patent Act*.

On Clause 1

Jim Keon, Vera Brown, Larry Wagg, Michael McBane, Kathleen Connors and Joel Lexchin each made an opening statement and, with Ed Hore and Daniel Benedict answered questions.

At 11:35 a.m., the Committee adjourned to the call of the Chair.

Richard Dupuis

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 26**

**Monday, May 28, 2001**

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**IN CAMERA**

APPROVED  
MAY 28 2002





## MINUTES OF PROCEEDINGS

Meeting No. 26

Monday, May 28, 2001

The Standing Committee on Industry, Science and Technology met *in camera* at 3:46 p.m. this day, in Room 371, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, John Cannis, Bev Desjarlais, Jocelyne Girard-Bujold, Marlene Jennings, Walt Lastewka, Preston Manning, Dan McTeague, Charlie Penson, James Rajotte, Andy Savoy, Paddy Torsney and Susan Whelan.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

Pursuant to Standing Order 108(2), the Committee proceeded to the Statutory Review of the *Lobbyists Registration Act*.

The Committee proceeded to review a draft report on the Lobbyists Registration Act.

At 5:05 p.m., the Committee adjourned to the call of the Chair.

Norm Radford

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 27**

**Tuesday, May 29, 2001**

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**ORDER OF THE DAY:**

Study of the Main Estimates for the fiscal year ending March 31, 2002, Votes 1, 5, L10, L15, 20, 25, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100, 105, 110, 115, 120 and 125 under Industry

**APPEARING:**

Hon. Martin Cauchon, Secretary of State, Economic Development Agency of Canada for the Regions of Quebec

**WITNESSES:**

*Health Canada:*

Anne Bowes, Patent Officer;

David Lee, Patent Officer, Legal, Therapeutic Products Division, Health Products and Food Branch.









## MINUTES OF PROCEEDINGS

Meeting No. 27

Tuesday, May 29, 2001

The Standing Committee on Industry, Science and Technology met at 9:22 a.m. this day, in Room 362, East Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, Pierre Brien, John Cannis, Jocelyne Girard-Bujold, Marlene Jennings, Walt Lastewka, Dan McTeague, Charlie Penson, Andy Savoy, Paddy Torsney and Susan Whelan.

*Acting Member present:* Réal Ménard for Jocelyne Girard-Bujold.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley, Research Officer.

*Appearing:* The Hon. Martin Cauchon, Secretary of State, (Economic Development Agency of Canada for the Regions of Quebec).

*Witnesses: From Health Canada:* David Lee, Patent Officer - Legal, Therapeutic Products Division, Health Products and Food Branch; Anne Bowes, Patent Officer - Science, Submission and Information Policy Division, Bureau of Policy and Coordination, Therapeutic Products Programme.

Pursuant to the Order of Reference of the House dated February 27, 2001, Main Estimates for the fiscal year ending March 31, 2002, Votes 1, 5, L10, L15, 20, 25, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100, 105, 110, 115, 120 and 125, under INDUSTRY.

The Hon. Martin Cauchon made an opening statement and answered questions.

At 10:00 a.m., the sitting was suspended.

At 10:05 a.m., the sitting resumed.

Pursuant to its Order of Reference of Tuesday, May 15, 2001, the Committee resumed consideration of Bill S-17, An Act to amend the Patent Act (*See Minutes of Proceedings, Tuesday, May 15, 2001, Meeting No. 24*).

David Lee made an opening statement and with Anne Bowes answered questions.

At 11:00 a.m., the Committee adjourned to the call of the Chair.

Normand Radford

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 28**

**Tuesday, May 29, 2001**

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**ORDER OF THE DAY:**

Study of Bill S-17, An Act to amend the Patent Act

**WITNESSES:**

*BIOTECanada:*

Janet Lambert, President.

*Canadian Chamber of Commerce:*

Michael N. Murphy, Senior Vice-President, Policy.

*Coalition for Biomedical and Health Research:*

Charles Pitts, Executive Director.

*Industry Canada:*

Andrei Sulzenko, Assistant Deputy Minister, Industry and Science Policy;

Rob Sutherland-Brown, Senior Legal Counsel.

*Rx&D, Canada's Research-Based Pharmaceutical Companies:*

Terry McCool, Vice-President, Intellectual Property Committee;

James Mills, Legal Counsel.

*"Université de Montréal":*

Lisa McKerracher, Doctor, Professor, Department of Pathology and Cell Biology, Faculty of Medicine.



## MINUTES OF PROCEEDINGS

Meeting No. 28

Tuesday, May 29, 2001

The Standing Committee on Industry, Science and Technology met at 3:35 p.m. this day, in Room 308, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Pierre Brien, Scott Brison, John Cannis, Bev Desjarlais, Marlene Jennings, Walt Lastewka, Dan McTeague, Charlie Penson, James Rajotte, Paddy Torsney and Susan Whelan.

*Acting Members present:* John McCallum for Reg Alcock, Réal Ménard for Jocelyne Girard-Bujold, Jacques Saada for Reg Alcock and Wayne Easter for Andy Savoy.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley, Research Officer.

*Witnesses: From the Canadian Chamber of Commerce:* Michael N. Murphy, Senior Vice-President, Policy. *From the Coalition for Biomedical and Health Research:* Lisa McKerracher, Associate Professor, Department of Pathology and Cell Biology, Université de Montréal; Charles Pitts, Executive Director. *From BIOTEC Canada:* Janet Lambert, President. *From Canada's Research-Based Pharmaceutical Companies:* James E. Mills, Barristers and Solicitors, Patent and Trade Mark Agents; Terry McCool, Vice-President, Corporate Affairs, Eli Lilly Canada Inc., Vice-President, Intellectual Property Committee. *From the Department of Industry:* Andreï Sulzenko, Assistant Deputy Minister, Industry and Science Policy; Robert Main, Acting Director General, Corporate Governance Branch; Susan Bincoletto, Director, Special Projects Directorate; Rob Sutherland-Brown, Senior Legal Counsel.

Pursuant to its Order of Reference of Tuesday, May 15, 2001, the Committee resumed consideration of Bill S-17, An Act to amend the Patent Act (*See Minutes of Proceedings, Tuesday, May 15, 2001, Meeting No. 24*).

Michael Murphy, Charles Pitts, Janet Lambert, Terry McCool each made an opening statement and, with the other witnesses answered questions.

By unanimous consent, the Committee distributed a response from the Canadian Drug Manufacturers Association to the Chair of the Committee dated May 28, 2001.

At 5:40 p.m., the sitting was suspended.

At 6:10 p.m., the sitting resumed.

The Committee proceeded to Clause-by-Clause consideration of the Bill.

The Title carried on division.

Clause 1 carried on division.

Clause 2 carried on division.

Clause 3 carried on division.

Clause 4 carried on division.

Clause 5 carried on division.

The Bill, carried.

ORDERED, -- That the Chair report Bill S-17 without amendments to the House as the First Report of the Committee.

By unanimous consent, the Committee proceeded to consider the Main Estimates 2001-2002.

It was agreed, -- That the Committee adopt the Main Estimates for the fiscal year 2001-2002, without amendments, and report the same to the House as the Second Report of the Committee.

At 6:30 p.m., the Committee adjourned to the call of the Chair.

Normand Radford

Clerk of the Committee



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HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 29**

**Thursday, May 31, 2001**

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**ORDER OF THE DAY:**

Study of the science and technology policies by roundtables

**WITNESSES:**

**Round Table I — Research and Development Spin-off Firms and Finance Issues**

*Canadian Medical Discoveries Fund Inc.:*

Calvin Stiller, Chair and Chief Executive Officer.

*Conference Board of Canada:*

Brian Guthrie, Director, Innovation and Knowledge Management.

*National Research Council of Canada:*

Arthur J. Carty, President.

*Vancouver City Savings Credit Union:*

David Mowat, Chief Executive Officer.

**Round Table II — Intellectual Property Rights and Protection**

*Canadian Association of University Teachers:*

Paul Jones, Research and Education Officer.



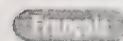


*Industry Canada:*

Gwilym Allen, Assistant Deputy Commissioner of Competition, Economic Policy and Enforcement, Competition Bureau.

*University of Toronto:*

Nancy Gallini, Professor, Department of Economics.



## MINUTES OF PROCEEDINGS

Meeting No. 29

Thursday, May 31, 2001

The Standing Committee on Industry, Science and Technology met at 9:05 a.m. this day, in Room 209, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, Mauril Bélanger, Pierre Brien, Bev Desjarlais, Walt Lastewka, Charlie Penson, James Rajotte and Susan Whelan.

*Acting Members present:* Denis Mills for Dan McTeague, Joe Fontana for Andy Savoy and Raymond Lavigne for John Cannis.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From the National Research Council of Canada:* Arthur J. Carty, President. *From the Vancouver City Savings Credit Union:* David Mowat, Chief Executive Officer. *From the Conference Board of Canada:* Brian Guthrie, Director, Innovation and Knowledge Management. *From the Canadian Medical Discoveries Fund Inc.:* Calvin Stiller, Chair and Chief Executive Officer. *From the Department of Industry:* Gwilym Allen, Assistant Deputy Commissioner of Competition Economic Policy and Enforcement, Competition Bureau. *From the University of Toronto:* Nancy Gallini, Professor of Economics, Department of Economics. *From the Canadian Association of University Teachers:* Paul Jones, Research and Education Officer.

Pursuant to Standing Order 108(2), consideration of the Science and Technology Policies:

At 9:05 a.m., the Committee proceeded to the following Roundtable: **Research and Development Spin-off Firms and Finance Issues.**

Arthur J. Carty, David Mowat, Brian Guthrie and Calvin Stiller each made an opening statement and answered questions.

At 10:45 a.m., the sitting was suspended.

At 10:58 a.m., the sitting resumed.

Pursuant to Standing Order 108(2), consideration of the Science and Technology Policies:

At 10:58 a.m., the Committee proceeded to the following Roundtable: **Intellectual Property Rights and Protection.**

Gwilym Allen, Nancy Gallini and Paul Jones each made an opening statement and, answered questions.

At 12:05 p.m., the sitting was suspended.

At 12:10 p.m., the sitting resumed *in camera*.

Pursuant to Standing Order 108(2), the Committee proceeded to the Statutory Review of the *Lobbyists Registration Act*.

It was agreed, - That the Draft Report (as amended) be concurred in.

It was agreed, - That the Chair present the Fourth Report (as amended) to the House at the earliest possible opportunity.

It was agreed, - That pursuant to Standing Order 109, the Committee request that the Government table a comprehensive response to this report within one hundred fifty (150) days.

It was agreed, - That the Chair be authorized to make such typographical and editorial changes as may be necessary without changing the substance of the Draft Report to the House.

It was agreed, - That 1550 copies of the Report be printed in both English and French in tumble format.

It was agreed, - That the Committee authorize the printing of dissenting opinions as an appendix to this report, immediately following the signature of the Chair.

It was agreed, - That any dissenting opinions be limited to not more than 5 pages.

It was agreed, - That any dissenting opinions be received by the Clerk in both official languages no later than in the morning of Tuesday, June 5, 2001.

It was agreed, - That a News Release be issued.

At 1:05 p.m., the Committee adjourned to the call of the Chair.

Normand Radford

Clerk of the Committee

HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 30**

**Thursday, May 31, 2001**

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**ORDER OF THE DAY:**

Study of Bill S-11, An Act to amend the Canada Business Corporations Act and the Canada Cooperatives Act and to amend other Acts

**WITNESSES:**

*Fasken Martineau DuMoulin:*

Daniel Picotte, Legal Counsel.

*Industry Canada:*

Lee Gill, Director, Corporate Law Policy;

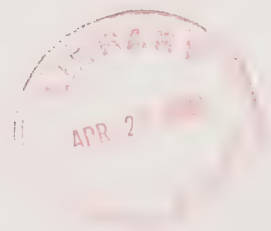
Irving Miller, Legal Advisor, Department of Justice;

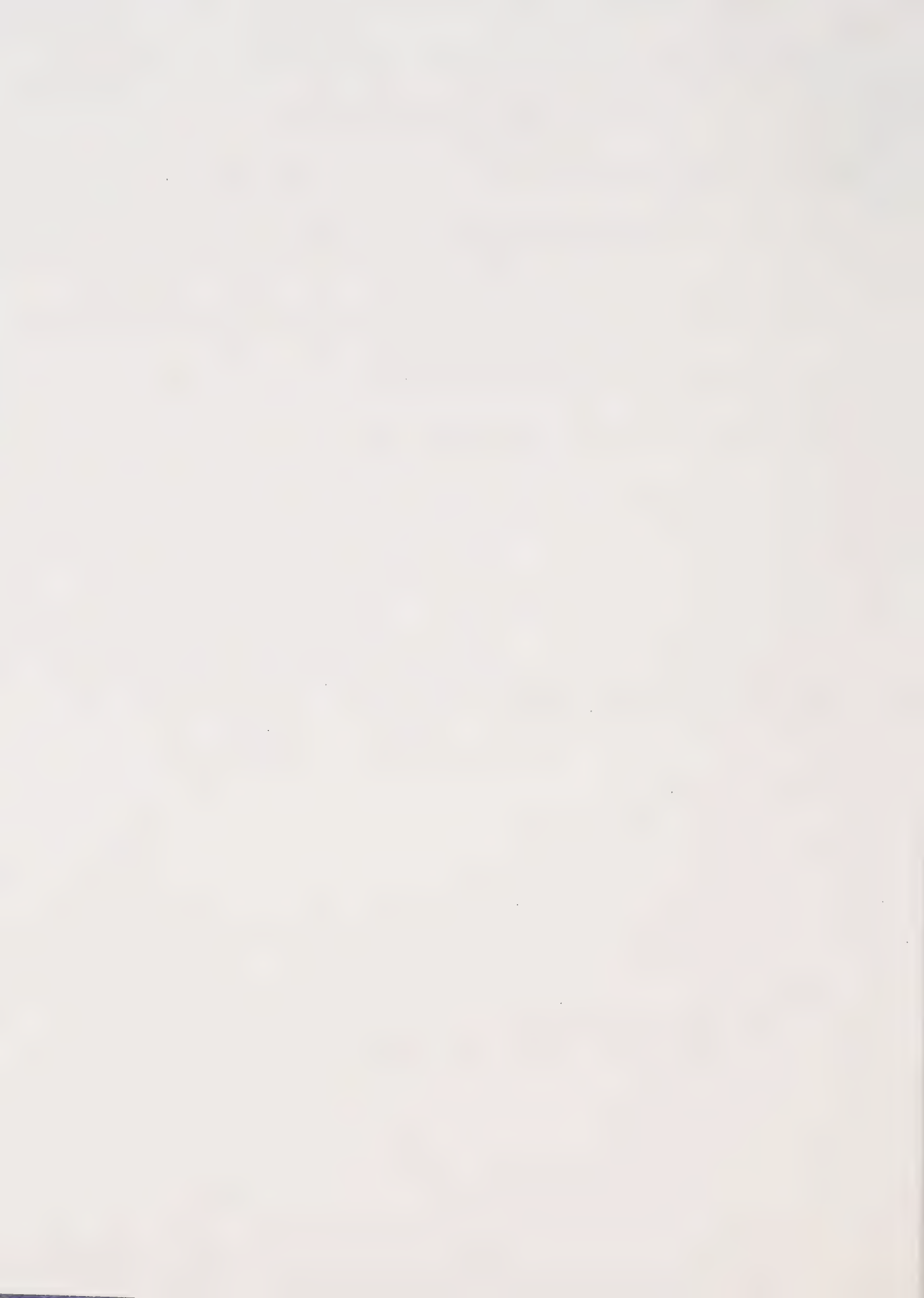
Bob Weist, Director of Compliance, Corporations Directorate.

*Transport Canada:*

Valérie Dufour, Director General, Air Policy;

Jacques E. Pigeon, Senior General Counsel, Legal Services.







## MINUTES OF PROCEEDINGS

Meeting No. 30

Thursday, May 31, 2001

The Standing Committee on Industry, Science and Technology met at 3:35 p.m. this day, in Room 371, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, Pierre Brien, Bev Desjarlais, Walt Lastewka and Susan Whelan.

*Acting Members present:* Stéphan Tremblay for Jocelyne Girard-Bujold and Claude Drouin for John Cannis.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley, Research Officer.

*Witnesses: From the Department of Industry:* Lee Gill, Director, Corporate Law Policy; Veronica Wessels, Senior Project Leader, SBCA Reform; Irving Miller, Legal Counsel, Department of Justice; Wayne Lennon, Senior Policy Analyst, CBCA Reform; Bob Weist, Director of Compliance, Corporations Directorate. *From the Department of Transport:* Valérie Dufour, Director General, Air Policy; Jacques E. Pigeon, Senior General Counsel, Legal Services. *From the Department of Industry:* Daniel Picotte, Legal Counsel.

The Order of Reference dated Thursday, May 10, 2001, being now read as follows:

ORDERED, -- That Bill S-11, *An Act to amend the Canada Business Corporations Act and the Canada Cooperatives Act and to amend other Acts* be now read a second time and referred to the Standing Committee on Industry, Science and Technology.

Lee Gill made an opening statement and, with the other witnesses, answered questions.

At 4:30 p.m., the Committee adjourned to the call of the Chair.

Normand Radford

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 31**

**Monday, June 4, 2001**

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**IN CAMERA**







## MINUTES OF PROCEEDINGS

Meeting No. 31

Monday, June 4, 2001

The Standing Committee on Industry, Science and Technology met *in camera* at 3:40 p.m. this day, in Room 209, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, Pierre Brien, John Cannis, Bev Desjarlais, Marlene Jennings, Walt Lastewka, Dan McTeague, Charlie Penson, James Rajotte, Andy Savoy, Paddy Torsney and Susan Whelan.

*Acting Member present:* Andy Scott for Andy Savoy.

*In attendance: From the House of Commons:* Dan Shaw, Research Officer.

Pursuant to Standing Order 108(2), consideration of the Science and Technology Policies.

The Committee considered a draft report.

At 6:31 p.m., the Committee adjourned to the call of the Chair.

Normand Radford

Clerk of the Committee



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## MINUTES OF PROCEEDINGS

Standing Committee  
on

### INDUSTRY, SCIENCE AND TECHNOLOGY

Chair: Susan Whelan, Lib.

### Meeting No. 32

Tuesday, June 5, 2001

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#### ORDER OF THE DAY:

Study of Bill S-11, An Act to amend the Canada Business Corporations Act and the Canada Cooperatives Act and to amend other Acts

#### WITNESSES:

*Democracy Watch:*

Duff Conacher, Coordinator.

*Industry Canada:*

Lee Gill, Director, Corporate Law Policy;

Veronica Wessels, Senior Project Leader, SBCA Reform.

*Department of Justice and Solicitor General of Canada:*

Daniel Picotte, Representative.

*"Groupe Investissement Responsable":*

Eric Steedman.

*Justice Canada and Industry Canada:*

Irving Miller, Senior Counsel, Commercial Law Division.



*Quebec Federation of Labour (QFL):*

Réjean Bellemare, Union Advisor.



## MINUTES OF PROCEEDINGS

Meeting No. 32

Tuesday, June 5, 2001

The Standing Committee on Industry, Science and Technology met at 9:10 a.m. this day, in Room 701, La Promenade Building, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, Mauril Bélanger, Pierre Brien, John Cannis, Marlene Jennings, Walt Lastewka, Dan McTeague, Charlie Penson, Paddy Torsney and Susan Whelan.

*Acting Members present:* Marcel Proulx for Andy Savoy; Larry Bagnell for Marlene Jennings and Tony Tirabassi for Dan McTeague.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley, Research Officer.

*Witnesses: From the «Groupe Investissement Responsable»:* Eric Steedman. *From the "Fédération des travailleurs et travailleuses du Québec (FTQ)":* Réjean Bellemare, Union Advisor. *From Democracy Watch:* Duff Conacher, Coordinator. *From the Department of Industry:* Lee Gill, Director, Corporate Law Policy; Veronica Wessels, Senior Project Leader, SBICA Reform; Irving Miller, Legal Counsel, Department of Justice; Wayne Lennon, Senior Policy Analyst, CBCA Reform; Bob Weist, Director of Compliance, Corporations Directorate; Daniel Picotte, Legal Counsel.

Pursuant to its Order of Reference of Thursday, May 10, 2001, the Committee resumed consideration of Bill S-11, An Act to amend the Canada Business Corporations Act and the Canada Cooperatives Act and to amend other Acts (*See Minutes of Proceedings, Thursday, May 31, 2001, Meeting No. 30*).

Réjean Bellemare, Duff Conacher and Eric Steedman each made opening statements and answered questions.

At 9:55 a.m., the sitting was suspended.

At 10:07 a.m., the sitting resumed.

Lee Gill, Veronica Wessels, Irving Miller, Wayne Lennon, Bob Weist and Daniel Picotte answered questions.

At 10:40 a.m., the sitting was suspended.

At 10:50 a.m., the sitting resumed.

The Committee proceeded to Clause-by-Clause consideration of the Bill.

Clause 1 to 59 carried, severally.



On Clause 59,

Pierre Brien moved, -- That Bill S-11, in Clause 59, be amended by replacing lines 33 to 44 on page 40 with the following:

"person must be, for at least six months, the registered holder or the beneficial owner of at least one of the outstanding shares of the corporation."

The question being put on the amendment, it was negatived.

Pierre Brien moved, -- That Bill S-11, in Clause 59, be amended by replacing lines 4 to 10 on page 41 with the following:

"(a) the name and address of the person; and  
(b) the date on which the share or shares referred to in subsection (1.1) were acquired."

The question being put on the amendment, it was negatived.

Pierre Brien moved, -- That Bill S-11, in Clause 59, be amended by replacing lines 15 and 16 on page 41 with the following:

"purposes of the maximum number of words prescribed in subsection (3)."

The question being put on the amendment, it was negatived.

Pierre Brien moved, -- That Bill S-11, in Clause 59, be amended by replacing lines 17 to 21 on page 41 with the following:

"(1.4) If requested by the corporation within ten days after the day on which a proposal is submitted under paragraph (1)(a), the person who submits the proposal must provide proof, within ten days after the day on which the request is made, that the person meets the requirement of subsection (1.1)."

The question being put on the amendment, it was negatived.

Pierre Brien moved, -- That Bill S-11, in Clause 59, be amended by replacing lines 30 and 31 on page 41 with the following:

"proposal must together not exceed five hundred words."

The question being put on the amendment, it was negatived.

Pierre Brien moved, -- That Bill S-11, in Clause 59, be amended by replacing lines 37 and 38 on page 41 with the following:

"corporation at least ninety days before the anniversary date of the"

The question being put on the amendment, it was negatived.

Pierre Brien moved, -- That Bill S-11, in Clause 59, be amended by replacing line 4 on page 42 with the following:

"(c) not more than two years"

The question being put on the amendment, it was negatived.

Pierre Brien moved, -- That Bill S-11, in Clause 59, be amended by replacing lines 15 to 18 on page 42 with the following:

"held not more than three years before the receipt of the proposal, and did not receive the support of at least three per cent of the votes cast at the meeting;

(d.1) two substantially similar proposals were submitted to shareholders in management proxy circulars or dissidents' proxy circulars relating to meetings of shareholders held not more than three years before the receipt of the proposal, and the most recent of those proposals did not receive the support of at least six per cent of the votes cast at the meeting;

(d.2) three substantially similar proposals or more were submitted to shareholders in management proxy circulars or dissidents' proxy circulars relating to meetings of shareholders held not more than three years before the receipt of the proposal, and the most recent of those proposals did not receive the support of at least ten per cent of the votes cast at the meeting; or"

The question being put on the amendment, it was negatived.

Pierre Brien moved, -- That Bill S-11, in Clause 59, be amended by replacing line 34 on page 42 with the following:

"corporation shall, within ten days"

The question being put on the amendment, it was negatived.

Pierre Brien moved, -- That Bill S-11, in Clause 59, be amended by replacing lines 1 to 6 on page 43 with the following:

"(8) On application in writing to the corporation, within the period provided for in subsection (8.1), by a person submitting a proposal who claims to be aggrieved by the corporation's refusal under subsection (7) to include a proposal in a management proxy circular, an arbitration committee shall be established in accordance with section 137.1 to determine whether the corporation had the right to refuse to include the proposal in the management proxy circular, and the arbitration committee may restrain the holding of the meeting to which the proposal is sought to be presented and make any further order it thinks fit.

(8.1) The application referred to in subsection (8) shall be submitted within fifteen days after the day on which the person submitting the proposal received the notice sent by the corporation under subsection (7).

(8.2) The arbitration committee shall meet and hear the person submitting the proposal, the corporation and all other witnesses that it thinks fit, and shall accept all relevant documents, at the times and places that it fixes having regard to the availability of the parties.

(8.3) During the meeting held under subsection (8.2), the corporation must establish to the satisfaction the arbitration committee that it had the right to refuse to include the proposal in the management proxy circular.

(8.4) The decisions of the arbitration committee shall be determined by a majority of votes.

(8.5) Any order made by the arbitration committee further to an application made under subsection (8) shall be communicated clearly and concisely in writing, together with the reasons, to the person submitting the proposal and to the corporation.

(8.6) The Minister may make regulations and any order that the Minister considers necessary for the establishment of the arbitration committee and the conduct of its proceedings.

**137.1** (1) Further to the presentation of an application under subsection 137(8), the person submitting the proposal and the corporation shall each appoint an arbitrator, and the two arbitrators thus appointed shall appoint a third arbitrator.

(2) If the person submitting the application or the corporation fails to appoint an arbitrator within ten days after the presentation of an application under subsection 137(8), or if the two arbitrators appointed by them fail to agree on the third arbitrator within ten days after their appointment, the appointment shall be made by the Minister within five days after the request of a party.

(3) In appointing an arbitrator under subsection (2), the Minister shall have due regard to such considerations as are likely to secure the appointment of an impartial and independent arbitrator.

(4) When a person is appointed arbitrator, the person shall disclose any circumstances likely to give rise to justifiable doubts concerning that person's impartiality or independence.

(5) An arbitrator may be removed if circumstances exist that give rise to justifiable doubts concerning the arbitrator's impartiality or independence.

(6) The person submitting the proposal or the corporation may present to the Minister, within ten days after becoming aware of the appointment of an arbitrator, a request to remove the arbitrator that includes a written statement of the reasons for the request. The decision of the Minister with respect to the request shall be made within five days after the request and is final.

(7) A substitute arbitrator shall be appointed in accordance with the rules governing the appointment of the replaced arbitrator

- a. when the mandate of an arbitrator is terminated under subsection (6);
- b. when an arbitrator withdraws from the office for any reason;
- c. when the parties agree to terminate the mandate of an arbitrator; or
- d. in any other case where the mandate of an arbitrator is terminated.

(8) The Minister shall establish a list of twenty persons available to serve as arbitrators, which list may be consulted as required by the person submitting the proposal, the corporation and the two arbitrators appointed by them.

**137.2** On the application in writing of the person submitting the proposal or the corporation within fifteen days after the person or the corporation receives the written communication referred to in subsection 137(8.5), a court may revoke any order made by the arbitration committee or make any other order it thinks fit, or both, and in particular restrain the holding of the meeting to which the proposal is sought to be presented, if the court is satisfied that the arbitration committee

- a. acted without jurisdiction, acted beyond its jurisdiction or refused to exercise its jurisdiction;
- b. failed to observe a principle of natural justice, procedural fairness or other procedure that it was



- required by law to observe;
- c. erred in law in making a decision, whether or not the error appears on the face of the record;
- d. based its decision on an erroneous finding of fact that it made in a perverse or capricious manner or without regard for the material before it;
- e. acted, or failed to act, by reason of fraud or perjured evidence; or
- f. acted in any other way that was contrary to law."

The question being put on the amendment, it was negatived.

Clauses 60 to 114 carried, severally.

Clauses 115 carried, on division.

Clause 116 to 234 carried, severally.

Clause 235 was negatived.

Clause 236 was negatived.

Clause 237 was negatived.

Clause 238 was negatived.

Clauses 239 to 241 carried, severally.

Schedule I carried.

On the Title,

It was agreed, -- That Bill S-11 be amended by replacing the long title with the following:

An Act to amend the Canada Business Corporations Act and the Canada Cooperatives Act and to amend other Acts in consequence.

The question being put on the amendment, it was adopted.

The Bill, as amended, carried.

ORDERED, -- That Bill S-11, An Act to amend the Canada Business Corporations Act and the Canada Cooperatives Act and to amend other Acts, as amended, be reprinted for the use of the House of Commons at Report Stage.

It was agreed, -- That the Chair report Bill S-11 with amendments to the House as the Third Report of the Committee.

At 11:05 a.m., the sitting was suspended.

At 11:55 a.m., the sitting resumed *in camera*.

Pursuant to Standing Order 108(2), consideration of the Science and Technology Policies.

At 11:55 a.m., the Committee proceeded to consider its draft report.

At 1:27 p.m., the Committee adjourned to the call of the Chair.

Normand Radford

Clerk of the Committee

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 33**

**Tuesday, June 5, 2001**

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**IN CAMERA**

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## MINUTES OF PROCEEDINGS

Meeting No. 33

Tuesday, June 5, 2001

The Standing Committee on Industry, Science and Technology met *in camera* at 3:37 p.m. this day, in Room 209, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, John Cannis, Bev Desjarlais, Marlene Jennings, Walt Lastewka, James Rajotte and Susan Whelan.

*In attendance: From the Library of Parliament:* Dan Shaw, Research Officer.

Pursuant to Standing Order 108(2), consideration of the Science and Technology Policies.

The Committee proceeded to the consideration of the draft report.

At 4:40 p.m., the Committee adjourned to the call of the Chair.

Normand Radford

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 34**

**Thursday, June 7, 2001**

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**IN CAMERA**







## MINUTES OF PROCEEDINGS

Meeting No. 34

Thursday, June 7, 2001

The Standing Committee on Industry, Science and Technology met *in camera* at 9:13 a.m. this day, in Room 112-N, Centre Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, Mauril Bélanger, Pierre Brien, Scott Brison, John Cannis, Marlene Jennings, Walt Lastewka, Charlie Penson, James Rajotte, Paddy Torsney, Susan Whelan.

*In attendance: From the Library of Parliament:* Dan Shaw and Daniel Brassard, Research Officers.

Pursuant to Standing Order 108(2), consideration of the Science and Technology Policies.

The Committee proceeded to consider its draft report on Science and Technology.

Moved, -- That the Draft Report (as amended) be concurred in.

Ordered, - That the Chair present the Report (as amended) to the House at the earliest possible opportunity.

Moved, -- That pursuant to Standing Order 109, the Committee request that the Government table a comprehensive response to this report within one hundred fifty (150) days.

Moved, -- That the Chair be authorized to make such typographical and editorial changes as may be necessary without changing the substance of the Draft Report to the House.

Moved, -- That 1000 English copies and 550 French copies of the Report be printed with a special cover.

Moved, -- That the Committee authorize the printing of dissenting opinions as an appendix to this report, immediately following the signature of the Chair.

Moved, -- That any dissenting opinions be limited to not more than 5 pages.

Moved, -- That any dissenting opinions be received by the Clerk in both official languages no later than Friday, June 8, 2001.

At 10:27 a.m., the Committee adjourned to the call of the Chair.

Normand Radford

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 35**

**Thursday, June 7, 2001**

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**ORDER OF THE DAY:**

Study of the Report of the Canadian e-Business Opportunities Roundtable

**WITNESSES:**

**Roundtable**

*Canadian e-Business Opportunities:*

John Eckert, E-Team Captain;

Matt Holland, E-Team Captain; Vice-President and Managing Director, The Boston Consulting Group (Toronto);

David Pecaut, Co-Chair;

Jean-Pierre Soublière, E-Team Captain;

John Wetmore, E-Team Captain; Vice-President, IBM Americas.









## MINUTES OF PROCEEDINGS

Meeting No. 35

Thursday, June 7, 2001

The Standing Committee on Industry, Science and Technology met in a televised session at 11:34 a.m. this day, in Room 237-C, Centre Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Reg Alcock, Mauril Bélanger, Pierre Brien, Scott Brison, John Cannis, Marlene Jennings, Walt Lastewka, Charlie Penson, James Rajotte, Paddy Torsney and Susan Whelan.

*In attendance: From the Library of Parliament:* Daniel Brassard, Research Officer.

*Witnesses: From the Canadian e-Business Opportunities Roundtable:* David Pecaut, Co-Chair, President, iFormation Group; John Wetmore, E-Team Captain, Vice-President, IBM Americas; John F. Eckert, E-Team Captain, Managing Partner, McLean Watson Capital; Matt Holland, E-Team Captain, Vice-President and Managing Director, The Boston Consulting Group (Toronto); Jean-Pierre Soublière, E-Team Captain, President and Chief Executive Officer, Anderson Soublière Inc.

Pursuant to Standing Order 108(2), consideration of the Report of the Canadian E-Business Opportunities Roundtable.

David Pecaut made an opening statement and, with the other witnesses, answered questions.

At 1:10 p.m., the Committee adjourned to the call of the Chair.

Normand Radford

Clerk of the Committee



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HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 36**

**Tuesday, October 2, 2001**

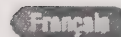
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**ORDER OF THE DAY:**

Election of a Chair and Vice-Chairs







## MINUTES OF PROCEEDINGS

Meeting No. 36

Tuesday, October 2, 2001

The Standing Committee on Industry, Science and Technology met at 9:03 a.m. this day, in Room 308, West Block.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Bev Desjarlais, Claude Drouin, Walt Lastewka, Charlie Penson, Andy Savoy, Paddy Torsney and Susan Whelan.

*Acting members present:* Jacques Saada for Marlene Jennings, Gérard Binet for Dan McTeague, Diane Ablonczy for Preston Manning and Rahim Jaffer for James Rajotte.

*In attendance: From the Library of Parliament:* Dan Shaw, Geoffrey P. Kieley and Lalita Acharya, Research Officers.

Organization meeting, pursuant to Standing Order 106(1) and (2): Election of a Chair and Vice-Chairs.

The Clerk of the Committee presided over the election of a Chair.

On motion of Walt Lastewka, it was agreed, -- That Susan Whelan be elected Chair of the Standing Committee on Industry, Science and Technology.

Susan Whelan took the Chair.

On motion of Charlie Penson, it was agreed, -- That Walt Lastewka be elected Vice-Chair of the Standing Committee on Industry, Science and Technology.

On motion of Walt Lastewka, it was agreed, -- That Charlie Penson be elected Vice-Chair of the Standing Committee on Industry, Science and Technology.

By unanimous consent, the Committee proceeded to consider its future business.

It was agreed, -- That the Commissioner of the Competition Bureau and his senior officials be invited to appear before the Committee regarding Bill C-23 on Thursday, October 4, 2001.

It was agreed, -- That the Research Officers of the Library of Parliament further elaborate the Work Plan on the Science and Technology studies.

It was agreed, -- That the Committee hold specific meetings with individual banks on the subject of business lending to small and medium sized enterprises.

It was agreed, -- That the Committee invite the Task force on Broadband to appear.

It was agreed, -- That the Committee invite the CRTC to appear on the topic of telephone pricing once the Commission has completed its hearings on the subject and made a decision.

It was agreed, -- That the Committee invite the Minister of Industry to appear once the Government responds to

the Committee's Fifth Report entitled: *A Canadian Innovation Agenda for the Twenty-First Century*.

It was agreed, -- That the Researchers prepare a work plan for a study on the regulation of industry including inter-provincial barriers.

At 10:10 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 37**

**Thursday, October 4, 2001**

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**ORDER OF THE DAY:**

Bill C-23, an act to amend the Competition Act and the Competition Tribunal Act

**WITNESSES:**

*Industry Canada:*

François-Bernard Côté, Director, Competition Law Division, Departmental Legal Services;  
Konrad von Finckenstein, Commissioner of Competition, Competition Act, Competition  
Bureau;

Marcel Morin, Acting Assistant Deputy Commissioner of Competition, Legislative Affairs  
Division, Competition Policy Branch.







## MINUTES OF PROCEEDINGS

Meeting No. 37

Thursday, October 4, 2001

The Standing Committee on Industry, Science and Technology met at 9:08 a.m. this day, in Room 308, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Claude Drouin, Walt Lastewka, Dan McTeague, Charlie Penson, James Rajotte, Andy Savoy, Brent St. Denis, Chuck Strahl, Paddy Torsney, Joseph Volpe and Susan Whelan.

*In attendance: From the Library of Parliament:* Dan Shaw, Geoffrey P. Kieley, Lalita Acharya, Research Officers.

*Witnesses: From the Department of Industry:* Konrad von Finckenstein, Commissioner of Competition, Competition Act, Competition Bureau; Marcel Morin, Acting Assistant Deputy Commissioner of Competition, Legislative Affairs Division, Competition Policy Branch; François-Bernard Côté, Director, Competition Law Division, Departmental Legal Services.

The Order of Reference dated Thursday, May 3, 2001, being now read as follows:

ORDERED, -- That Bill C-23, An Act to amend the Competition Act and the Competition Tribunal Act be now read a second time and referred to the Standing Committee on Industry, Science and Technology.

The Chair called Clause 1.

The Commissioner made an opening statement and, with the other witnesses answered questions.

At 10:50 a.m., the Committee adjourned to the call of the Chair.

Normand Radford

Clerk of the Committee



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HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 38**

**Tuesday, October 16, 2001**

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**ORDER OF THE DAY:**

Study of Bill C-23, An Act to amend the Competition Act and the Competition Tribunal Act

**WITNESSES:**

*Canadian Chamber of Commerce:*

Nancy Hughes Anthony, President and Chief Executive Officer;

Paul Crampton, Chair, Competition Law and Policy Task Force.

*Canadian Survey Research Council:*

Ken Deal, President.

*Public Policy Forum:*

Anita Mayer, Vice-President.

*Retail Council of Canada:*

Peter Woolford, Vice-President, Policy Analysis and Government Relations.

*Toronto Board of Trade:*

James Musgrove, Lawyer.

*As Individual:*

George N. Addy.







## MINUTES OF PROCEEDINGS

Meeting No. 38

Tuesday, October 16, 2001

The Standing Committee on Industry, Science and Technology met at 9:08 a.m. this day, in Room 701, La Promenade Building, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Claude Drouin, Walt Lastewka, Dan McTeague, Charlie Penson, James Rajotte, Andy Savoy, Brent St. Denis, Chuck Strahl, Paddy Torsney, Joseph Volpe and Susan Whelan.

*In attendance: From the Library of Parliament:* Dan Shaw, Geoffrey P. Kieley and Lalita Acharya, Research Officers.

*Witnesses: From the Public Policy Forum:* Anita Mayer, Vice-President. *As Individual:* George N. Addy, Lawyer, Osler, Hoskin and Harcourt. *From the Canadian Chamber of Commerce:* Nancy Hughes Anthony, President and Chief Executive Officer; Paul Crampton, Chair, Competition Law and Policy Task Force, Davies Ward Phillips & Vineberg LLP. *From the Toronto Board of Trade:* James Musgrove, Lawyer. *From the Retail Council of Canada:* Peter Woolford, Vice-President, Policy Analysis and Government Relations. *From the Canadian Survey Research Council:* Ken Deal, President.

Pursuant to its Order of Reference of Thursday, May 3, 2001, the Committee resumed consideration of Bill C-23, *An Act to amend the Competition Act and the Competition Tribunal Act* (See *Minutes of Proceedings*, Thursday, October 4, 2001, Meeting No. 37).

Anita Mayer and George Addy each made an opening statement and, with the other witnesses answered questions.

At 10:10 a.m., the sitting was suspended.

At 10:15 a.m., the sitting resumed.

Nancy Hughes Anthony, James Musgrove, Peter Woolford and Ken Deal each made an opening statement and answered questions.

At 12:10 p.m., the Committee proceeded to consider its future business.

It was agreed, -- That the Committee approve a budget of \$70,000.00 for the purposes of the Committee travelling to Washington, D.C to hold meetings on peer review and on regulatory framework of Canadian industries in relation to the United States.

It was agreed, -- That the Committee approve a budget of \$92, 000.00 for the purpose of the Committee travelling to Europe, (Finland, Germany, and the United Kingdom) to hold meetings on the topic of peer review.

It was agreed, -- That the Committee approve an operational budget of \$60,000.00.



At 12:27 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee

HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 39**

**Tuesday, October 16, 2001**

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**ORDER OF THE DAY:**

Study of the peer review process

**WITNESSES:**

*Canada Research Chairs Program:*

René Durocher, Executive Director.

*Canadian Institutes of Health Research:*

Mark Bisby, Director, Research Portfolio.

*Natural Sciences and Engineering Research Council of Canada:*

Elizabeth Boston, Director, Research Grants.

*Social Sciences and Humanities Research Council of Canada:*

Ned Ellis, Vice-President, Programs.

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## MINUTES OF PROCEEDINGS

Meeting No. 39

Tuesday, October 16, 2001

The Standing Committee on Industry, Science and Technology met at 3:29 p.m. this day, in Room 308, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Claude Drouin, Walt Lastewka, Dan McTeague, Charlie Penson, James Rajotte, Andy Savoy, Brent St. Denis, Chuck Strahl, Joseph Volpe and Susan Whelan.

*In attendance: From the Library of Parliament:* Dan Shaw, Geoffrey P. Kieley and Lalita Acharya, Research Officers.

*Witnesses: From the Canadian Institutes of Health Research:* Mark Bisby, Director, Research Portfolio. *From the Natural Sciences and Engineering Research Council of Canada:* Elizabeth Boston, Director, Research Grants. *From the Social Sciences and Humanities Research Council of Canada:* Ned Ellis, Vice-President, Programs; Dr. René Durocher, Executive Director, Canada Research Chairs Program.

Pursuant to Standing Order 108(2), consideration of the Peer Review Process.

Mark Bisby, Elizabeth Boston, Ned Ellis and René Durocher each made an opening statement and answered questions.

At 5:30 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 40**

**Wednesday, October 17, 2001**

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**ORDER OF THE DAY:**

Study of Bill C-23, An Act to amend the Competition Act and the Competition Tribunal Act

**WITNESSES:**

*"Association québécoise des indépendants du pétrole":*

René Blouin, Chief Executive Officer;

Pierre Crevier, Member of the Economic Affairs Committee.

*Canadian Independent Petroleum Marketers Association:*

Dave Collins, President;

Bob MacMinn, Executive Vice-President.

*Canadian Trucking Alliance:*

Graham Cooper, Senior Vice-President;

Ron Lennox, Vice-President, Regulatory Affairs.









## MINUTES OF PROCEEDINGS

Meeting No. 40

Wednesday, October 17, 2001

The Standing Committee on Industry, Science and Technology met at 3:35 p.m. this day, in Room 371, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Claude Drouin, Walt Lastewka, Dan McTeague, Charlie Penson, James Rajotte, Brent St. Denis, Chuck Strahl, Joseph Volpe, Susan Whelan.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley, Research Officer.

*Witnesses: From the Canadian Independent Petroleum Marketers Association:* Bob MacMinn, Executive Vice-President; Dave Collins, President. *From the "Association québécoise des indépendants du pétrole":* René Blouin, President-Executive Director; Pierre Crevier, President, "Pétroles Crevier" and Member of the AQUIP's Economic Affairs Committee. *From the Canadian Trucking Alliance:* Graham Cooper, Senior Vice-President; Ron Lennox, Vice-President, Regulatory Affairs.

Pursuant to its Order of Reference of Thursday, May 3, 2001, the Committee resumed consideration of Bill C-23, An Act to amend the Competition Act and the Competition Tribunal Act (*See Minutes of Proceedings, Thursday, October 4, 2001, Meeting No. 37*).

The witnesses made an opening statement and answered questions.

At 4:45 p.m., the Committee proceeded to sit *in camera*.

It was agreed, -- That the Committee hold special hearings on the economic impact on Canada of the September 11, 2001 Terrorist Attacks.

It was agreed, -- That the Committee approve admission fees of \$422.65 for each of the two researchers to attend the Conference on R&D Canada's Challenge held in Ottawa on November 13, 2001.

At 5:10 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 41**

**Tuesday, October 23, 2001**

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**ORDER OF THE DAY:**

Study of Bill C-23, An Act to amend the Competition Act and the Competition Tribunal Act

**WITNESSES:**

*Business Council on National Issues:*

John Dillon, Vice-President, Legal Counsel.

*Canadian Bar Association:*

Joan Bercovitch, Senior Director, Legal and Government Affairs;

Tim Kennish, Chair, National Competition Law Section.

*As Individuals:*

Thomas W. Ross;

Howard I. Wetston.

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## MINUTES OF PROCEEDINGS

Meeting No. 41

Tuesday, October 23, 2001

The Standing Committee on Industry, Science and Technology met at 9:05 a.m. this day, in Room 705, La Promenade Building, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Larry Bagnell, Bev Desjarlais, Claude Drouin, Jocelyne Girard-Bujold, Walt Lastewka, Dan McTeague, Charlie Penson, James Rajotte, Brent St. Denis, Paddy Torsney and Susan Whelan.

*Acting Member present:* Pat Martin for Bev Desjarlais

*In attendance: From the Library of Parliament:* Dan Shaw and Geoffrey P. Kieley, Research Officers.

*Witnesses: From the Business Council on National Issues:* Thomas d'Aquino, President and Chief Executive Officer; John R. Dillon, Vice-President and Legal Counsel. *From the Canadian Bar Association:* Tim Kennish, Chair, National Competition Law Section; Joan Bercovitch, Senior Director, Legal and Governmental Affairs. *As Individual:* Thomas W. Ross, Professor, Faculty of Commerce and Business Administration, University of British Columbia; Howard I. Wetston, Vice-Chair, Ontario Securities Commission.

Pursuant to its Order of Reference of Thursday, May 3, 2001, the Committee resumed consideration of Bill C-23, An Act to amend the Competition Act and the Competition Tribunal Act (*See Minutes of Proceedings, Thursday, October 4, 2001, Meeting No. 37*).

John R. Dillon, Joan Bercovitch, Tim Kennish, Thomas W. Ross and Howard I. Wetston each made an opening statement and answered questions.

At 11:45 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 42**

**Wednesday, October 24, 2001**

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**ORDER OF THE DAY:**

Study of Bill C-23, An Act to amend the Competition Act and the Competition Tribunal Act

**WITNESSES:**

*Canadian Federation of Independent Business:*

André Piché, Senior Policy Analyst, National Affairs;

Stéphane Robichaud, Director, Provincial Affairs, New Brunswick and Prince Edward Island.

*Canadian Petroleum Products Institute:*

Alain Perez, President;

Tom Ryley, Executive Vice-President, Sunoco Inc., Suncor Energy Inc.

*Consumers' Association of Canada:*

David Croome, Chair, Trade Committee.

*Democracy Watch:*

Duff Conacher, Coordinator.

*Public Interest Advocacy Centre:*

Michael Janigan, Executive Director and General Counsel.







## MINUTES OF PROCEEDINGS

Meeting No. 42

Wednesday, October 24, 2001

The Standing Committee on Industry, Science and Technology met at 3:20 p.m. this day, in Room 308, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Larry Bagnell, Jocelyne Girard-Bujold, Walt Lastewka, Dan McTeague, James Rajotte, Brent St. Denis, Chuck Strahl, Paddy Torsney and Susan Whelan.

*Guesting Member present:* Pat Martin for Bev Desjarlais.

*Attendance: From the Library of Parliament:* Dan Shaw and Geoffrey P. Kieley, Research Officers.

*Witnesses: From Democracy Watch:* Duff Conacher, Coordinator. *From the Public Interest Advocacy Centre:* Michael Janigan, Executive Director and General Counsel. *From the Canadian Federation of Independent Business:* André Piché, Senior Policy Analyst, National Affairs; Stéphane Robichaud, Director, Provincial Affairs for New Brunswick and P.E.I. *From the Canadian Petroleum Products Institute:* Alain Perez, President; Tom Ryley, Executive Vice-President, Sunoco Inc., Suncor Energy Inc. *From the Consumers' Association of Canada:* David Croome, Chair, Trade Committee.

Pursuant to its Order of Reference of Thursday, May 3, 2001, the Committee resumed consideration of Bill C-23, an Act to amend the Competition Act and the Competition Tribunal Act (*See Minutes of Proceedings, Thursday, October 4, 2001, Meeting No. 37*).

Michael Janigan and Duff Conacher each made an opening statement and answered questions.

At 4:12 p.m., the sitting was suspended.

At 4:17 p.m., the sitting resumed.

Stéphane Robichaud, André Piché and Alain Perez each made an opening statement and with Tom Ryley answered questions.

At 5:34 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 43**

**Thursday, October 25, 2001**

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**ORDER OF THE DAY:**

Study on the Three Federal Granting Agencies, Peer Review Funding and the Canada Research Chairs Program

**WITNESSES:**

*Association of Canadian Community Colleges:*

Gerald Brown, President and Chief Executive Officer.

*Canadian Association of University Research Administrators:*

Wayne Marsh, President.

*Canadian Association of University Teachers:*

Michael Piva, Professor and Member, Executive Committee.







## MINUTES OF PROCEEDINGS

Meeting No. 43

Thursday, October 25, 2001

The Standing Committee on Industry, Science and Technology met at 9:05 a.m. this day, in Room 269, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Larry Bagnell, Bev Desjarlais, Claude Drouin, Walt Lastewka, Charlie Benson, Paddy Torsney and Susan Whelan.

*Acting Member present:* Pat Martin for Bev Desjarlais.

*In attendance: From the Library of Parliament:* Dan Shaw, Geoffrey P. Kieley and Lalita Acharya, Research Officers.

*Witnesses: From the Canadian Association of University Teachers:* Prof. Michael Piva, Member of the Executive Committee. *From the Canadian Association of University Research Administrators:* Wayne Marsh, President. *From the Association of Canadian Community Colleges:* Gerald Brown, President and Chief Executive Officer.

Pursuant to Standing Order 108(2), study on the Three Federal Granting Agencies, Peer Review Funding, and the Canada Research Chairs Program.

Michael Piva, Wayne Marsh and Gerald Brown each made an opening statement and answered questions.

At 10:25 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee





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HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 44**

**Tuesday, October 30, 2001**

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**ORDER OF THE DAY:**

Study of the Economy Impact on Canada of the September 11, 2001 Terrorist Attacks

**APPEARING:**

Hon. Brian Tobin, Minister of Industry

**WITNESSES:**

*Association of International Automobile Manufacturers of Canada:*

Robert J. Armstrong, President;

Stephen Beatty, Vice-President, Corporate Affairs, Toyota Canada, Inc.;

Michael Sheridan, Director of Government Relations, Ford Company of Canada Limited;

Art Thomas, Senior Manager, Corporate Affairs, Honda Canada Inc..

*Automotive Parts Manufacturers' Association:*

Gerald Fedchun, President.

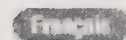
*Canadian Vehicle Manufacturers' Association:*

Doug Jure, Special Adviser, DaimlerChrysler Canada;

Mark Nantais, President.







## MINUTES OF PROCEEDINGS

Meeting No. 44

Tuesday, October 30, 2001

The Standing Committee on Industry, Science and Technology met in a televised session at 8:35 a.m. this day, in Room 253-D, Centre Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Bev Desjarlais, Claude Drouin, Dan McTeague, Charlie Penson, James Rajotte, Brent St. Denis, Chuck Strahl, Paddy Torsney, Joseph Volpe and Susan Whelan.

*Acting Members present:* Bob Speller for Walt Lastewka.

*In attendance: From the Library of Parliament:* Dan Shaw, Lalita Acharya and James McQueen, Research Officers.

*Appearing: From the Department of Industry:* The Hon. Brian Tobin, Minister of Industry.

*Witnesses: From the Department of Industry:* Andrei Sulzenko, Senior Assistant Deputy Minister, Policy Sector. *From the Canadian Vehicle Manufacturers' Association:* Mark Nantais, President; Doug Jure, Special Advisor, Daimler-Chrysler Canada; Michael Sheridan, Manager, Government Relations, Ford Motors of Canada Ltd. *From the Association of International Automobile Manufacturers of Canada:* Robert J. Armstrong, President; Stephen Beatty, Vice-President, Corporate Affairs, Toyota Canada Inc.; Art Thomas, Senior Manager, Corporate Affairs, Honda Canada Inc. *From the Automotive Parts Manufacturers' Association:* Gerald Fedchun, President.

Pursuant to Standing Order 108(2), consideration of the Economic Impact on Canada of the September 11, 2001 Terrorist Attacks.

The Hon. Brian Tobin made an opening statement and answered questions.

At 9:54 a.m., the sitting was suspended.

At 10:02 a.m., the sitting resumed.

Mark Nantais, Robert J. Armstrong and Gerald Fedchun each made an opening statement and with Art Thomas, Michael Sheridan, Stephen Beatty and Doug Jure answered questions.

At 11:51 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 45**

**Tuesday, October 30, 2001**

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**ORDER OF THE DAY:**

Study of the economic impact on Canada of the September 11, 2001 terrorist attacks

**WITNESSES:**

*Canadian Chamber of Commerce:*

Robert Keyes, Senior Vice-President, International Division;

Michael N. Murphy, Senior Vice-President, Policy.

*Canadian Federation of Independent Business:*

Catherine Swift, President and Chief Executive Officer;

Garth Whyte, Senior Vice-President, National Affairs.

*Canadian Manufacturers and Exporters:*

Jayson Myers, Senior Vice-President and Chief Economist.

*Canadian Steel Producers' Association:*

Barry Lacombe, President.

*Mining Association of Canada:*

Gordon Peeling, President and Chief Executive Officer.



*Stelco:*

Donald K. Belch, Director, Governmental Relations.





## MINUTES OF PROCEEDINGS

Meeting No. 45

Tuesday, October 30, 2001

The Standing Committee on Industry, Science and Technology met at 3:17 p.m. this day, in Room 371, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Stéphane Bergeron, Claude Drouin, Charlie Penson, James Rajotte, Andy Savoy, Brent St. Denis, Paddy Torsney, Joseph Volpe and Susan Whelan.

*In attendance: From the Library of Parliament:* Dan Shaw, Lalita Acharya and James McQueen, Research Officers.

*Witnesses: From the Canadian Chamber of Commerce:* Michael N. Murphy, Senior Vice-President, Policy; Robert Keyes, Senior Vice-President, International Division. *From the Canadian Manufacturers and Exporters:* Jayson Myers, Senior Vice-President and Chief Economist; Mark Boudreau, Senior Director, Policy and Research. *From the Canadian Federation of Independent Business:* Catherine Swift, President & Chief Executive Officer; Garth Whyte, Senior Vice-President, National Affairs. *From the Canadian Steel Producers' Association:* Barry Lacombe, President; Donald K. Belch, Director, Government Relations. *From the Mining Association of Canada:* Gordon Peeling, President and Chief Executive Officer; Dan Paszkowski, Vice-President, Economic Affairs.

Pursuant to Standing Order 108(2), consideration of the Economic Impact on Canada of the September 11, 2001 Terrorist Attacks.

Michael N. Murphy, Robert Keyes, Jayson Myers, Catherine Swift and Garth Whyte each made an opening statement and answered questions.

At 4:46 p.m., the sitting was suspended.

At 4:48 p.m., the sitting resumed.

Barry Lacombe and Gordon Peeling each made an opening statement and with Donald K. Belch answered questions.

At 5:35 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 46**

**Wednesday, October 31, 2001**

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**ORDER OF THE DAY:**

Study of the economic impact on Canada of the September 11, 2001 terrorist attacks

**WITNESSES:**

*Aluminium of Canada:*

Christian Van Houtte, President.

*Association of Canadian Travel Agents:*

Randall M. Williams, President and Chief Executive Officer.

*Canadian Construction Association:*

Michael Atkinson, President;

Jeff Morrison, Communications Director.

*Canadian Restaurant and Foodservices Association:*

Joyce Reynolds, Senior Vice-President, Government Affairs.

*Hotel Association of Canada:*

Anthony Pollard, President.

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*Tourism Industry Association of Canada:*

Gerry Macies, Director.



## MINUTES OF PROCEEDINGS

Meeting No. 46

Wednesday, October 31, 2001

The Standing Committee on Industry, Science and Technology met at 3:25 p.m. this day, in Room 308, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Claude Drouin, James Rajotte, Andy Savoy, Brent St. Denis, Chuck Strahl, Paddy Torsney, Joseph Volpe and Susan Whelan.

*In attendance: From the Library of Parliament:* Dan Shaw, Lalita Acharya and James McQueen, Research Officers.

*Witnesses: From the Tourism Industry Association of Canada:* Gerry Macies, Director. *From the Hotel Association of Canada:* Anthony P. Pollard, President. *From the Canadian Restaurant and Food Services Association:* Joyce Reynolds, Senior Vice-President, Government Affairs. *From the Association of Canadian Travel Agents:* Randall M. Williams, President and Chief Executive Officer. *From the Aluminium Association of Canada:* Chris Van Houtte, President. *From the Canadian Construction Association:* Michael Atkinson, President; Jeff Morrison, Director of Communications.

Pursuant to Standing Order 108(2), consideration of the Economic Impact on Canada of the September 11, 2001 Terrorist Attacks.

Anthony P. Pollard, Gerry Macies, Joyce Reynolds and Randall M. Williams each made an opening statement and answered questions.

At 4:35 p.m., the sitting was suspended.

At 4:40 p.m., the sitting resumed.

Chris Van Houtte, Michael Atkinson and Jeff Morrison each made an opening statement and answered questions.

At 5:30 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 47**

**Thursday, November 1, 2001**

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**ORDER OF THE DAY:**

Study of the economic impact on Canada of the September 11, 2001 terrorist attacks

**WITNESSES:**

*Air Transport Association of Canada:*

Warren Everson, Vice-President, Policy and Strategic Planning;

Clifford J. Mackay, President and Chief Executive Officer.

*Business Council on National Issues:*

Sam T. Boutziouvis, Vice-President, International Trade and Global Economics;

Thomas d'Aquino, President and Chief Executive Officer.

*Canadian Federation of Agriculture:*

Brigitte Rivard, Executive Director.

*Canadian Film and Television Production Association:*

Elizabeth McDonald, President and Chief Executive Officer.

*Canadian Trucking Alliance:*

David Bradley, Chief Executive Officer.



*Detroit Regional Chamber of Commerce:*

Daniel J. Cherrin, Director of Public Policy;

Gordon Jarvis, Director, Detroit & Canada Tunnel Corporation.

*Information Technology Association of Canada:*

Pierre Boucher, Vice-President, Customer Advocacy, Entrust;

Linda Oliver, Executive Director, Government Relations.

*Railway Association of Canada:*

Dennis Apedaile, Senior Adviser, Government Affairs, Canadian Pacific Railways;

Bill Fox, Senior Vice-President, Public Affairs, Canadian National Railways;

Bill Rowat, President.

*VIA Rail Canada:*

Paul Côté, Head of Operations.





## MINUTES OF PROCEEDINGS

Meeting No. 47

Thursday, November 1st, 2001

The Standing Committee on Industry, Science and Technology met in a televised session at 9:05 a.m. this day, in Room 237-C, Centre Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Bev Desjarlais, Claude Drouin, Charlie Penson, James Rajotte, Brent St. Denis, Chuck Strahl, Paddy Torsney, Joseph Volpe, Susan Whelan.

*Acting Members present:* Dick Proctor for Bev Desjarlais.

*In attendance: From the Library of Parliament:* Dan Shaw, Lalita Acharya James McQueen, Research Officers.

*Witnesses: From the Railway Association of Canada:* Bill W.A. Rowat, President; Bill Fox, Senior Vice-President, Public Affairs, Canadian National Railways; Paul Côté, Chief Operating Officer, Via Rail Canada; Dennis Apedaile, Senior Advisor, Government Affairs, Canadian Pacific Railways. *From the Air Transport Association of Canada:* J. Clifford Mackay, President and Chief Executive Officer; Warren Everson, Vice-President, Policy and Strategic Planning. *From the Canadian Trucking Alliance:* David Bradley, Chief Executive Officer; Ron Lennox, Vice-President, Regulatory Affairs. *From the Business Council on National Issues:* Thomas d'Aquino, President and Chief Executive Officer; David Stewart-Patterson, Senior Vice-President, Policy and Communications; Sam T. Boutziouvis, Vice-President, International Trade and Global Economics. *From the Canadian Federation of Agriculture:* Brigitte Rivard, Executive Director; Jennifer Fellows, Farm Policy Analyst. *From the Information Technology Association of Canada:* Linda Oliver, Executive Director, Government Relations; Pierre Boucher, Vice-President, Customer Advocacy Entrust. *From the Canadian Film and Television Production Association:* Elizabeth McDonald, President and Chief Executive Officer. *From the Detroit Regional Chamber of Commerce:* Daniel J. Cherrin, Director of Public Policy. *From the Detroit Windsor Tunnel Corporation:* Gordon Jarvis, Director.

Pursuant to Standing Order 108(2), consideration of the Economic Impact on Canada of the September 11, 2001 Terrorist Attacks.

J. Clifford Mackay, Bill W.A. Rowat and David Bradley each made an opening statement and, with the other witnesses, answered questions.

Thomas d'Aquino made an opening statement and answered questions.

Elizabeth McDonald, Pierre Boucher, Linda Oliver and Brigitte Rivard each made an opening statement and, with the other witnesses, answered questions.

Daniel J. Cherrin and Gordon Jarvis each made an opening statement and answered questions.

At 1:10 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 48**

**Tuesday, November 6, 2001**

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**ORDER OF THE DAY:**

Study of Bill C-23, An Act to amend the Competition Act and the Competition Tribunal Act

**WITNESSES:**

*Association of Canadian Travel Agents:*

Martin Taller, President, Ports of Call Travel Services Ltd..

*AT&T Canada Enterprises Inc.:*

Chris Peirce, Vice-President, Government Affairs.

*Call-Net Enterprises Inc.:*

Ian Scott, Vice-President, Government Affairs.

*Canada Post Corporation:*

Gerard Power, General Counsel and Corporate Secretary.

*Canadian Council for International Business:*

Matthew Ivis, Policy Analyst;

Mark Katz, Vice-President.



*Canadian Real Estate Association:*

Pierre Beauchamp, Executive Director;

Marcia McGuire, Senior Legal Counsel.

*Competition Law Policy Group:*

A. Neil Campbell, McMillan Binch;

Arthur B. James, Former Vice-President, Law and Corporate Relations, IBM Canada Limited;

J. William Rowley, Lawyer, McMillan Binch.

*As Individuals:*

Jack Quinn;

Robert S. Russell;

Michael J. Trebilcock;

Stanley Wong.



## MINUTES OF PROCEEDINGS

Meeting No. 48

Tuesday, November 6, 2001

The Standing Committee on Industry, Science and Technology met at 9:04 a.m. this day, in Room 701, La Promenade Building, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Claude Drouin, Walt Lastewka, Dan McTeague, James Rajotte, Brent St. Denis, Chuck Strahl, Paddy Torsney, Joseph Volpe and Susan Whelan.

*Other Member present:* Pat Martin.

*In attendance: From the Library of Parliament:* Dan Shaw, Geoffrey P. Kieley, Lalita Acharya and James McQueen, Research Officers.

*Witnesses: From the As Individual:* Stanley Wong, Lawyer, Davis and Company; Michael J. Trebilcock, Professor of Law and Economics, University of Toronto; Robert S. Russell, Lawyer, Borden Ladner Gervais; Jack Quinn, Lawyer, Blakes. *From the Canadian Council for International Business:* Mark Katz, Lawyer, Davies Ward Phillips & Vineberg; Matthew Ivis, Policy Analyst. *From the Competition Law Policy Group:* J. William Rowley, Lawyer, McMillan Binch; A. Neil Campbell, McMillan Binch; Arthur B. James, Former Vice-President, Law and Corporate Relations, IBM Canada Limited. *From the Canadian Real Estate Association:* Pierre Beauchamp, Chief Executive Officer; Marcia McGuire, Senior Legal Council. *From the Association of Canadian Travel Agents:* Martin Taller, President, Ports of Call Travel Services Ltd. *From the Canada Post Corporation:* Gerard Power, General Counsel and Corporate Secretary; Marc-André Leblanc, Legal Counsel. *From the AT&T Canada:* Chris Peirce, Vice-President, Regulatory & Government Affairs. *From the Call-Net Enterprises Inc.:* Ian Scott, Vice-President, Government Affairs, (Sprint Canada).

Pursuant to its Order of Reference of Thursday, May 3, 2001, the Committee resumed consideration of Bill C-23, An Act to amend the Competition Act and the Competition Tribunal Act (*See Minutes of Proceedings, Thursday, October 4, 2001, Meeting No. 37*).

Stanley Wong, Michael J. Trebilcock, Robert S. Russell and Jack Quinn each made an opening statement and answered questions.

Matthew Ivis, Mark Katz, Arthur B. James and J. William Rowley each made an opening statement and, with Neil Campbell answered questions.

Pierre Beauchamp, Marcia McGuire and Martin Taller each made an opening statement and answered questions.

Gerard Power, Chris Peirce and Ian Scott each made an opening statement and, with Marc-André Leblanc answered questions.

At 12:58 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee





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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 49**

**Tuesday, November 6, 2001**

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**ORDER OF THE DAY:**

Study of Bill C-23, An Act to amend the Competition Act and the Competition Tribunal Act

**WITNESSES:**

*Australian Competition and Consumer Commission:*

Allan Fels, Professor, Chairman.

*Customs Excise Union:*

Serge Charette, National President.

*Retail Council of Canada:*

Peter Woolford, Senior Vice-President, Policy.









## MINUTES OF PROCEEDINGS

Meeting No. 49

Tuesday, November 6, 2001

The Standing Committee on Industry, Science and Technology met in a televised session at 3:35 p.m. this day, in Room 701, La Promenade Building, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Stéphane Bergeron, Claude Drouin, Walt Lastewka, Dan McTeague, James Rajotte, Brent St. Denis and Susan Whelan.

*In attendance: From the Library of Parliament:* Dan Shaw, Geoffrey P. Kieley, Lalita Acharya and James McQueen, Research Officers.

*Witnesses: From the Australian Competition and Consumer Commission:* Prof. Allan Fels, Chairman. *From the Retail Council of Canada:* Peter Woolford, Senior Vice-President, Policy. *From the Customs Excise Union:* Serge Charette, National President.

Pursuant to its Order of Reference of Thursday, May 3, 2001, the Committee resumed consideration of Bill C-23, An Act to amend the Competition Act and the Competition Tribunal Act (*See Minutes of Proceedings, Thursday, October 4, 2001, Meeting No. 37*).

Allan Fels made an opening statement and answered questions.

At 3:37 p.m., the sitting was suspended.

At 4:45 p.m., the sitting resumed.

Pursuant to Standing Order 108(2), consideration of the Economic Impact on Canada of the September 11, 2001 Terrorist Attacks.

Peter Woolford made an opening statement and answered questions.

Serge Charette made an opening statement and answered questions.

At 5:35 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 50**

**Wednesday, November 7, 2001**

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**ORDER OF THE DAY:**

Study of Bill C-23, An Act to amend the Competition Act and the Competition Tribunal Act

**WITNESSES:**

*Acadia University:*

Peter Townley, Economics Professor.

*Industry Canada:*

François-Bernard Côté, General Counsel, Competition Legislation Section;

Konrad von Finckenstein, Commissioner of Competition, Competition Bureau.

*WestJet Airlines:*

Clive Beddoe, Chief Executive Officer.







## MINUTES OF PROCEEDINGS

Meeting No. 50

Wednesday, November 7, 2001

The Standing Committee on Industry, Science and Technology met at 3:35 p.m. this day, in Room 701, La Promenade Building, the Vice-Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Claude Drouin, Walt Lastewka, Dan McTeague, James Rajotte and Chuck Strahl.

*Other Member present:* Pat Martin.

*In attendance: From the Library of Parliament:* Dan Shaw and Geoffrey P. Kieley, Research Officers.

*Witnesses: From WestJet Airlines:* Clive Beddoe, Chief Executive Officer. *From the Department of Industry:* Konrad von Finckenstein, Commissioner of Competition, Competition Act, Competition Bureau; Marcel Morin, Acting Assistant Deputy Commissioner of Competition, Legislative Affairs Division, Competition Policy Branch; François-Bernard Côté, Director, Competition Law Division, Departmental Legal Services. *As Individual:* Peter Townley, Professor, T.D. MacDonald Chair, Dalhousie University.

Pursuant to its Order of Reference of Thursday, May 3, 2001, the Committee resumed consideration of Bill C-23, An Act to amend the Competition Act and the Competition Tribunal Act (*See Minutes of Proceedings, Thursday, October 4, 2001, Meeting No. 37*).

Clive Beddoe made an opening statement and answered questions.

At 4:21 p.m., the sitting was suspended.

At 4:22 p.m., the sitting resumed.

Konrad von Finckenstein made an opening statement and, with François Côté answered questions.

Peter Townley made an opening statement and answered questions.

At 5:35 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 51**

**Thursday, November 8, 2001**

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**ORDER OF THE DAY:**

Study on the three federal granting agencies, peer review funding and the Canada research chairs program

**WITNESSES:**

*Association of Universities and Colleges of Canada:*

David Barnard, President, University of Regina;

Paul Davenport, President, University of Western Ontario;

Robert J. Giroux, President and Chief Executive Officer;

Bonnie Patterson, President, Trent University;

Tom Traves, President, Dalhousie University, and Chair, Atlantic Association of Universities.

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## MINUTES OF PROCEEDINGS

Meeting No. 51

Thursday, November 8, 2001

The Standing Committee on Industry, Science and Technology met at 9:10 a.m. this day, in Room 308, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Claude Drouin, Jocelyne Girard-Bujold, Dan McTeague, Paddy Torsney and Susan Whelan.

*Other Member present:* Peter Adams.

*In attendance: From the Library of Parliament:* Dan Shaw and Lalita Acharya, Research Officers.

*Witnesses: From the Association of Universities and Colleges of Canada:* Robert J. Giroux, President and Chief Executive Officer; Paul Davenport, President, University of Western Ontario; Bonnie Patterson, President, Trent University; David Barnard, President, University of Regina; Tom Traves, President, Dalhousie University.

Pursuant to Standing Order 108(2), Study on the Three Federal Granting Agencies, Peer Review Funding, and the Canada Research Chairs Program.

Robert J. Giroux, Tom Traves, Paul Davenport, Bonnie Patterson and David Barnard each made an opening statement and answered questions.

At 10:50 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 52**

**Tuesday, November 20, 2001**

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**IN CAMERA**







## MINUTES OF PROCEEDINGS

Meeting No. 52

Tuesday, November 20, 2001

The Standing Committee on Industry, Science and Technology met *in camera* at 9:18 a.m. this day, in Room 705, La Promenade Building, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Bev Desjarlais, Walt Lastewka, Dan McTeague, Charlie Penson, James Rajotte, Brent St. Denis, Chuck Strahl, Joseph Volpe and Susan Whelan.

*In attendance: From the Library of Parliament:* Dan Shaw, Lalita Acharya and James McQueen, Research Officers.

Pursuant to Standing Order 108(2), consideration of the Economic Impact on Canada of the September 11, 2001 Terrorist Attacks.

The Committee proceeded to consider a draft report.

At 12:25 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 53**

**Tuesday, November 20, 2001**

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**IN CAMERA**

LIBRARY  
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## MINUTES OF PROCEEDINGS

Meeting No. 53

Tuesday, November 20, 2001

The Standing Committee on Industry, Science and Technology met *in camera* at 3:44 p.m. this day, in Room 536, Wellington Building, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Stéphane Bergeron, Claude Drouin, Walt Lastewka, Charlie Penson, James Rajotte, Andy Savoy, Brent St. Denis, Chuck Strahl, Paddy Torsney, Joseph Volpe and Susan Whelan.

*In attendance: From the Library of Parliament:* Dan Shaw and Lalita Acharya, Research Officers.

Pursuant to Standing Order 108(2), consideration of the Economic Impact on Canada of the September 11, 2001 Terrorist Attacks.

The Committee resumed consideration of a draft report.

It was agreed - That the draft report be concurred in subject to the Members receiving a copy as amended by Wednesday, November 21, 2001 at 5:00 p.m. in order that they may bring changes, as necessary, to the Researchers.

It was agreed, - That the Report be presented (as amended) to the House at the earliest possible opportunity.

It was agreed, - That pursuant to Standing Order 109, the Committee request that the Government table a comprehensive response to this report.

It was agreed, - That the Chair be authorized to make such typographical and editorial changes as may be necessary without changing the substance of the draft report.

It was agreed, - That 1000 copies of the Report be printed in both English and French in tumble format.

It was agreed, - That the Committee authorize the printing of dissenting opinions as an appendix to this report, immediately following the signature of the Chair.

It was agreed, - That any dissenting opinions be received by the Clerk no later than Friday, November 23, 2001 at 12:00 p.m.

It was agreed, - That a News Release be issued.

It was agreed, - That a News Conference be held on Tuesday, November 27, 2001 at 10:15 a.m. at the National Press Theatre, 150 Wellington Street, Room 607.

At 5:40 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 54**

**Wednesday, November 21, 2001**

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**ORDER OF THE DAY:**

Study of small and medium-sized enterprise bank lending

**WITNESSES:**

*Canadian Imperial Bank of Commerce:*

Carol J. Gray, Executive Vice-President, Small Business Banking;  
Robert Paterson, Senior Vice-President, Small Business Banking;  
Benjamin Tal, Senior Economist, Risk Management.

*Royal Bank of Canada:*

Russ Cook, Vice-President, Knowledge based Market;  
Jim J.E. Hamilton, Vice-President, Small Business and Agriculture;  
Anne Lamont, Vice-President, Government Affairs;  
Carlos Leitao, Senior Economist, Royal Bank Financial Group.









## MINUTES OF PROCEEDINGS

Meeting No. 54

Wednesday, November 21, 2001

The Standing Committee on Industry, Science and Technology met at 3:38 p.m. this day, in Room 308, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Claude Drouin, Walt Lastewka, Dan McTeague, Charlie Penson, Brent St. Denis, Joseph Volpe and Susan Whelan.

*Other Member present:* Tony Iano.

*In attendance: From the Library of Parliament:* Dan Shaw and Lalita Acharya, Research Officers.

*Witnesses: From the Canadian Imperial Bank of Commerce:* Carol J. Gray, Executive Vice-President, Small Business Banking; Robert Paterson, Senior Vice-President, Small business banking; Benjamin Tal, Senior Economist, Risk Management. *From the Royal Bank of Canada:* Jim J. E. Hamilton, Vice-President, Small Business and Agriculture; Russ Cook, Vice-President, Knowledge Based Market; Anne Lamont, Vice-President, Government Affairs; Carlos Leitao, Senior Economist, Royal Bank Financial Group.

Pursuant to Standing Order 108(2), consideration of Small and Medium-Sized Enterprise Bank Lending.

Carol Gray, Benjamin Tal and Robert Paterson each made an opening statement and answered questions.

Jim J.E. Hamilton made an opening statement and, with the other witnesses answered questions.

At 5:50 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 55**

**Thursday, November 22, 2001**

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**ORDER OF THE DAY:**

Study on the three federal granting agencies, peer review funding, and the Canada Research Chairs Program

**WITNESSES:**

*Council of Science and Technology Advisors:*

Alan Winter, President and Chief Executive Officer, New Media Innovation Centre.

*University College of Cape Breton:*

Jacquelyn Thayer Scott, President and Vice-Chancellor.

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## MINUTES OF PROCEEDINGS

Meeting No. 55

Thursday, November 22, 2001

The Standing Committee on Industry, Science and Technology met at 9:30 a.m. this day, in Room 269, West Block, the Vice-Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Claude Drouin, Jocelyne Girard-Bujold, Walt Lastewka and Paddy Torsney.

*Acting Member present:* Pierre Paquette for Stéphane Bergeron.

*In attendance: From the Library of Parliament:* Dan Shaw and Lalita Acharya, Research Officers.

*Witnesses: From the Council of Science and Technology Advisors:* Dr. Alan Winter, President and Chief Executive Officer, New Media Innovation Centre. *From the Advisory Council on Science and Technology:* Dr. Jacquelyn Thayer Scott, President and Vice-Chancellor, University College of Cape Breton.

Pursuant to Standing Order 108(2), Study on the Three Federal Granting Agencies, Peer Review Funding, and the Canada Research Chairs Program.

Alan Winter made an opening statement.

Jacquelyn Thayer Scott made an opening statement.

The witnesses answered questions.

At 11:00 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 56**

**Tuesday, November 27, 2001**

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**ORDER OF THE DAY:**

Study of Bill C-23, An Act to amend the Competition Act and the Competition Tribunal Act

**WITNESSES:**

*Air Canada:*

John Baker, Senior Vice-President and General Counsel;

Lawson A.W. Hunter, Legal Counsel;

Stephen Markey, Vice-President, Government Relations and Regulatory Affairs.









## MINUTES OF PROCEEDINGS

Meeting No. 56

Tuesday, November 27, 2001

The Standing Committee on Industry, Science and Technology met at 4:04 p.m. this day, in Room 269, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Larry Bagnell, Claude Drouin, Walt Lastewka, Dan McTeague, Charlie Penson, James Rajotte, Andy Savoy, Chuck Strahl, Paddy Torsney, Joseph Volpe and Susan Whelan.

*Acting Members present:* Mario Laframboise for Stéphane Bergeron.

*In attendance: From the Library of Parliament:* Dan Shaw and Geoffrey P. Kieley, Research Officers.

*Witnesses: From the Air Canada:* John Baker, Senior Vice-President and General Counsel; Stephen Markey, Vice-President, Government Relations and Regulatory Affairs; Lawson Hunter, Legal Counsel.

Pursuant to its Order of Reference of Thursday, May 3, 2001, the Committee resumed consideration of Bill C-23, An Act to amend the Competition Act and the Competition Tribunal Act (*See Minutes of Proceedings, Thursday, October 4, 2001, Meeting No. 37*).

John Baker made an opening statement and, with Lawson Hunter and Stephen Markey, answered questions.

At 5:50 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 57**

**Wednesday, November 28, 2001**

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**ORDER OF THE DAY:**

Study of small and medium-sized enterprise bank lending

**WITNESSES:**

*National Bank of Canada:*

Simon Ledoux, Senior Manager, SME Enterprise Development;

Peter Thompson, Vice-Chairman, Commercial, Outaouais and Northern and Eastern Ontario;

Steve Tremblay, Corporate Manager, Business Development.

*TD Canada Trust:*

Craig Alexander, Senior Economist;

David Marr, National Manager, Branch Distribution, Agriculture Services;

Nick Stitt, Vice-President, Small Business Banking.







## MINUTES OF PROCEEDINGS

Meeting No. 57

Wednesday, November 28, 2001

The Standing Committee on Industry, Science and Technology met at 3:30 p.m. this day, in Room 308, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Stéphane Bergeron, Claude Drouin, Walt Lastewka, Dan McTeague, Andy Savoy, Brent St. Denis, Joseph Volpe and Susan Whelan.

*Other member present:* Tony Ianno.

*In attendance: From the Library of Parliament:* Dan Shaw, Research Officer.

*Witnesses: From the National Bank of Canada:* Steve Tremblay, Corporate Manager, Business Development; Simon Ledoux, Senior Manager, SME Development; Peter Thompson, Vice-President, Commercial Outaouais, Ontario North and East. *From the TD Canada Trust:* Nick Stitt, Vice-President, Small Business Banking; David Marr, National Manager, Branch Distribution, Agriculture Services; Craig Alexander, Senior Economist.

Pursuant to Standing Order 108(2), consideration of Small and Medium-Sized Enterprise Bank Lending.

Steve Tremblay made an opening statement and, with Simon Ledoux and Peter Thompson, answered questions.

At 4:25 p.m., the sitting was suspended.

At 4:29 p.m., the sitting resumed.

Nick Stitt made an opening statement and, with David Marr and Craig Alexander, answered questions.

At 5:25 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 58**

**Thursday, November 29, 2001**

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**ORDER OF THE DAY:**

Study on the three federal granting agencies, peer review funding and the Canada Research Chairs Program

**WITNESSES:**

*As Individuals:*

Ian Dohoo;  
Donald Forsdyke;  
Peter R. Frise;  
Bryan J. Poulin.

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## MINUTES OF PROCEEDINGS

Meeting No. 58

Thursday, November 29, 2001

The Standing Committee on Industry, Science and Technology met in a televised session at 9:25 a.m. this day, in Room 112-N, Centre Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Walt Lastewka, Brent St. Denis, Paddy Forsney and Susan Whelan.

*In attendance: From the Library of Parliament:* Dan Shaw and Lalita Acharya, Research Officers.

*Witnesses: As Individual:* Dr. Bryan J. Poulin, Professor, Faculty of Business Administrators, Lakehead University; Dr. Peter R. Frise, Professor, Mechanical/Design Engineering, Faculty of University of Windsor; Dr. Ian Dohoo, Professor, Epidemiology, Associate Dean, University of P.E.I., Graduate Studies and Research; Dr. Donald Forsdyke, Professor, Department of Biochemistry, Queen's University.

Pursuant to Standing Order 108(2), Study on the Three Federal Granting Agencies, Peer Review Funding, and the Canada Research Chairs Program.

Dr. Bryan Poulin, Dr. Peter Frise and Dr. Ian Dohoo each made an opening statement and answered questions.

At 11:00 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 59**

**Thursday, December 4, 2001**

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**ORDER OF THE DAY:**

Study of the Competition Law and Policy

**WITNESSES:**

**Round Table I**

*As Individuals:*

Jeffrey R. Church;

Calvin Goldman;

Lawson Hunter;

Tim Kennish;

Donald McFetridge;

John Scott;

John Sotos.

**Round Table II**

*As Individuals:*

George Addy;



A. Neil Campbell;  
Paul Crampton;  
Jack Quinn;  
Thomas W. Ross;  
Robert S. Russell;  
Margaret Sanderson;  
Roger Ware;  
Douglas West;  
Stanley Wong.



## MINUTES OF PROCEEDINGS

Meeting No. 59

Tuesday, December 4, 2001

The Standing Committee on Industry, Science and Technology met in a televised session at 9:05 a.m. this day, in Room 253-D, Centre Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Jocelyne Girard-Bujold, Walt Lastewka, Dan McTeague, Charlie Penson, Brent St. Denis, Chuck Strahl, Joseph Volpe and Susan Whelan.

*Acting Members present:* Deepak Obhrai for Charlie Penson.

*Other Members present:* Pat Martin.

*In attendance: From the Library of Parliament:* Dan Shaw and Geoffrey P. Kieley, Research Officers.

*Witnesses: Roundtable one: As Individual:* Calvin Goldman, Lawyer, Davies, Ward & Beck; Lawson Hunter, Lawyer, Stikeman Elliott; Robert S. Russell, Lawyer, Borden Ladner Gervais; Donald McFetridge, Professor, Carleton University; John Scott, President, Canadian Federation of Independent Grocers; Jeffrey R. Church, Professor, University of Calgary; Thomas W. Ross, Professor, University of British Columbia; John Sotos, Lawyer, Sotos Associates; Tim Kennish, Lawyer, Osler, Hoskin & Harcourt; Douglas West, Professor, University of Alberta, Economics Faculty. *Roundtable two:* Paul Crampton, Lawyer, Davies Ward Phillips & Vineberg; Stanley Wong, Lawyer, Davis and Company; A. Neil Campbell, Lawyer, McMillan Binch; Margaret Sanderson, Vice-President, Charles River Associates; Jack Quinn, Lawyer, Blakes; George N. Addy, Lawyer, Osler, Hoskin & Harcourt; Roger Ware, Professor, University of Calgary; Douglas West, Professor, University of Alberta, Economics Faculty; Thomas W. Ross, Professor, University of British Columbia; Robert S. Russell, Lawyer, Borden Ladner Gervais.

Pursuant to the Committee's mandate under Standing Order 108(2), consideration of the Competition Law and Policy.

The participants of the roundtable one proceeded to a discussion with the Members.

At 11:00 a.m., the sitting was suspended.

At 11:12 a.m., the sitting resumed.

The participants of the roundtable two proceeded to a discussion with the Members.

At 1:00 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 60**

**Tuesday, December 4, 2001**

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**ORDER OF THE DAY:**

Study of Bill C-23, An Act to amend the Competition Act and the Competition Tribunal Act

**WITNESSES:**

*Industry Canada:*

Louise Faille, Legal Counsel, Competition Law Division;

Chris Martin, Acting Assistant Deputy Commissioner of International Affairs;

Konrad von Finckenstein, Commissioner of Competition, Competition Bureau.

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## MINUTES OF PROCEEDINGS

Meeting No. 60

Tuesday, December 4, 2001

The Standing Committee on Industry, Science and Technology met at 3:45 p.m. this day, in Room 705, La Promenade Building, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Larry Bagnell, Claude Drouin, Jocelyne Girard-Bujold, Walt Lastewka, Dan McTeague, James Rajotte, Andy Savoy, Brent St. Denis, Chuck Strahl, Joseph Volpe and Susan Whelan.

*Acting Members present:* Pat Martin for Bev Desjarlais.

*In attendance: From the Library of Parliament:* Dan Shaw and Geoffrey P. Kieley, Research Officers.

*Witnesses: From the Department of Industry:* Konrad von Finckenstein, Commissioner of Competition, Competition Act, Competition Bureau; Marcel Morin, Acting Assistant Deputy Commissioner of Competition, Legislative Affairs Division, Competition Policy Branch; Chris Martin, Acting, Assistant Deputy Commissioner of Competition, International Affairs Division, Competition Bureau. *From the Department of Justice Canada:* Louise Faille, Legal Counsel, Competition Law Division, Industry Canada.

Pursuant to its Order of Reference of Thursday, May 3, 2001, the Committee resumed consideration of Bill C-23, An Act to amend the Competition Act and the Competition Tribunal Act (*See Minutes of Proceedings, Thursday, October 4, 2001, Meeting No. 37*).

The Committee proceeded to Clause-by-Clause consideration of the Bill.

Clause 1, carried on division.

On Clause 2

Claude Drouin moved, -- That Bill C-23 be amended by adding after line 16 on page 1 the following:

2.1 (1) Subsection 29(1) of the Act is amended by striking out the word "or" at the end of paragraph (c), by adding the word "or" at the end of paragraph (d) and by adding the following after paragraph (d):

(e) any information provided voluntarily pursuant to this Act.

(2) Subsection 29(2) of the Act is replaced by the following:

(2) This section does not apply in respect of any information that has been made public or any information the communication of which was authorized by the person who provided the information.

After debate, the question being put on the amendment, it was adopted on division.

Clause 2, as amended, carried on division.

On Clause 3

Claude Drouin moved, -- That Bill C-23, in Clause 3, be amended by replacing lines 26 to 29 on page 3 with the following:

for which it was requested,

After debate, the question being put on the amendment, it was adopted on division.

Claude Drouin moved, -- That Bill C-23, in Clause 3, be amended by adding after line 31 on page 20 the following:

30.291 (1) For greater certainty, any evidence requested by a foreign state under an agreement may be obtained for the purposes of giving effect to the request only in accordance with the agreement and the procedure set out in this Part, even in the case of records or other things already in the possession of the Commissioner.

(2) This section does not apply in respect of any information that has been made public or any information the communication of which was authorized by the person who provided the information.

After debate, the question being put on the amendment, it was adopted on division.

Clause 3, as amended, carried on division.

Clauses 4.1 and 5, carried severally on division.

On Clause 6

Claude Drouin moved, -- That Bill C-23, in Clause 6, be amended by replacing lines 7 to 10 on page 22 with the following:

mail or by any other means a document or notice in any form, if the document or notice gives the general impression that the recipient has won, will win, or will on doing a particular act win,

After debate, the question being put on the amendment, it was adopted on division.

Clause 6, as amended, carried on division.

Clauses 7 to 11, carried severally on division.

New Clause 11.1

Dan McTeague moved, -- That Bill C-23 be amended by adding after line 13 on page 27 the following:

11.1 (1) The portion of subsection 75(1) of the Act before paragraph (a) is replaced by the following:

75. (1) Where, on application by the Commissioner or a person granted leave under section 103.1, the Tribunal finds that

(2) Subsection 75(1) of the Act is further amended by striking out the word "and" at the end of paragraph (c), by adding the word "and" at the end of paragraph (d) and by adding the following after paragraph (d):

(e) the refusal to deal is having or is likely to have an adverse effect on competition in a market,

(3) Section 75 of the Act is amended by adding the following after subsection (3):



(4) In considering an application by a person granted leave under section 103.1, the Tribunal may not draw any inference from the fact that the Commissioner has or has not taken any action in respect of the matter raised by the application.

11.2 (1) The portion of subsection 77(2) of the Act before paragraph (a) is replaced by the following:

(2) Where, on application by the Commissioner or a person granted leave under section 103.1, the Tribunal finds that exclusive dealing or tied selling, because it is engaged in by a major supplier of a product in a market or because it is widespread in a market, is likely to

(2) Subsection 77(3) of the Act is replaced by the following:

(3) Where, on application by the Commissioner or a person granted leave under section 103.1, the Tribunal finds that market restriction, because it is engaged in by a major supplier of a product or because it is widespread in relation to a product, is likely to substantially lessen competition in relation to the product, the Tribunal may make an order directed to all or any of the suppliers against whom an order is sought prohibiting them from continuing to engage in market restriction and containing any other requirement that, in its opinion, is necessary to restore or stimulate competition in relation to the product.

(3) Section 77 of the Act is amended by adding the following after subsection (6):

(7) In considering an application by a person granted leave under section 103.1, the Tribunal may not draw any inference from the fact that the Commissioner has or has not taken any action in respect of the matter raised by the application.

After debate, the question being put on the amendment, it was adopted on division.

#### New Clause 11.3

Dan McTeague moved, -- That Bill C-23 be amended by adding after line 13 on page 27 the following:

11.3 Section 77 of the Act is amended by adding the following after subsection (3):

(3.1) For greater certainty, the Tribunal may not make an award of damages under this section to a person granted leave under subsection 103.1(7).

After debate, the question being put on the amendment, it was adopted on division.

#### New Clause 11.4

Dan McTeague moved, -- That Bill C-23 be amended by adding after line 13 on page 27 the following:

11.4 Section 79 of the Act is amended by adding the following after subsection (3):

(3.1) Where the Tribunal makes an order under subsection (1) or (2) against an entity who operates a domestic service, as defined in subsection 55(1) of the Canada Transportation Act, it may also order the entity to pay, in such manner as the Tribunal may specify, an administrative monetary penalty in an amount not greater than \$15 million.

(3.2) In determining the amount of an administrative monetary penalty, the Tribunal shall take into account the following:

- (a) the frequency and duration of the practice;
- (b) the vulnerability of the class of persons adversely affected by the practice;
- (c) injury to competition in the relevant market;
- (d) the history of compliance with this Act by the entity; and
- (e) any other relevant factor.

(3.3) The purpose of an order under subsection (3.1) is to promote practices that are in conformity with this section, not to punish.

11.5 The Act is amended by adding the following after section 79:

79.1 The amount of an administrative monetary penalty imposed on an entity under subsection 79(3.1) is a debt due to Her Majesty in right of Canada and may be recovered as such from that entity in a court of competent jurisdiction.

After debate, the question being put on the amendment, it was adopted on division.

On Clause 12

Dan McTeague moved, -- That Bill C-23, in Clause 12, be amended by replacing line 16 on page 27 with the following:

103.1 (1) Any person may apply to the Tribunal for leave to make an application under section 75 or 77. The application for leave must be accompanied by an affidavit setting out the facts in support of the person's application under section 75 or 77.

(2) The applicant must serve a copy of the application for leave on the Commissioner and any person against whom the order under section 75 or 77 is sought.

(3) The Commissioner shall, within 48 hours after receiving a copy of an application for leave, certify to the Tribunal whether or not the matter in respect of which leave is sought

(a) is the subject of an inquiry by the Commissioner; or

(b) was the subject of an inquiry that has been discontinued because of a settlement between the Commissioner and the person against whom the order under section 75 or 77 is sought.

(4) The Tribunal shall not consider an application for leave respecting a matter described in paragraph (3)(a) or (b) or a matter that is the subject of an application already submitted to the Tribunal by the Commissioner under section 75 or 77.

(5) The Tribunal shall as soon as practicable after receiving the Commissioner's certification under subsection (3) notify the applicant and any person against whom the order is sought as to whether it can hear the application for leave.

(6) A person served with an application for leave may, within 15 days after receiving notice under subsection (5), make representations in writing to the Tribunal and shall serve a copy of the representations on any other person referred to in subsection (2).



(7) The Tribunal may grant leave to make an application under section 75 or 77 if it has reason to believe that the applicant is directly and substantially affected in his or her business by any practice referred to in one of those sections that could be subject to an order under that section.

(8) The Tribunal may set the time within which and the conditions subject to which an application under section 75 or 77 must be made. The application must be made no more than one year after the practice that is the subject of the application has ceased.

(9) The Tribunal must give written reasons for its decision to grant or refuse leave and send copies to the applicant, the Commissioner and any other person referred to in subsection (2).

(10) The Commissioner may not make an application for an order under section 75, 77 or 79 on the basis of the same or substantially the same facts as are alleged in a matter for which the Tribunal has granted leave under subsection (7), if the person granted leave has already applied to the Tribunal under section 75 or 77.

(11) In considering an application for leave, the Tribunal may not draw any inference from the fact that the Commissioner has or has not taken any action in respect of the matter raised by it.

(12) If the Commissioner has certified under subsection (3) that a matter in respect of which leave was sought by a person is under inquiry and the Commissioner subsequently discontinues the inquiry other than by way of settlement, the Commissioner shall, as soon as practicable, notify that person that the inquiry is discontinued.

103.2 If a person granted leave under subsection 103.1(7) makes an application under section 75 or 77, the Commissioner may intervene in the proceedings.

103.3 (1) Subject to subsection (2), the

After debate, the question being put on the amendment, it was adopted on division.

Claude Drouin moved, -- That Bill C-23, in Clause 12, be amended by

(a) replacing line 20 on page 27 with the following:

paragraph 10(1)(b), issue an interim order

(b) replacing line 27 on page 27 with the following:

order if it finds that the conduct or measures could be of the type described in paragraphs (1)(a) and (b), respectively, and that, in the absence of an

After debate, the question being put on the amendment, it was adopted on division.

Claude Drouin moved, -- That Bill C-23, in Clause 12, be amended by replacing lines 38 to 44 on page 27 and lines 1 to 3 on page 28 with the following:

(3) Before making an application for an order to prevent the continuation of conduct that could be the subject of an order under section 75 to 77, 79, 81 or 84 by an entity incorporated under the Bank Act, the Insurance Companies Act, the Trust and Loan Companies Act or the Cooperative Credit Associations Act or a subsidiary of such an entity, the Commissioner must consult with the Minister of Finance respecting the safety and soundness of the entity.

After debate, the question being put on the amendment, it was adopted on division.

Claude Drouin moved, -- That Bill C-23, in Clause 12, be amended by adding after line 13 on page 28 the following:

(5.1) The Commissioner may, before the expiry of the second 35 day period referred to in subsection (5) or of the period fixed by the Tribunal under subsection (7), as the case may be, apply to the Tribunal for a further extension of the interim order.

(5.2) The Commissioner shall give at least 48 hours notice of an application referred to in subsection (5.1) to the person against whom the interim order is made.

(5.3) The Tribunal may order that the effective period of the interim order be extended if

(a) the Commissioner establishes that information requested for the purpose of the inquiry has not yet been provided or that more time is needed in order to review the information;

(b) the information was requested during the initial period that the interim order had effect, within the first 35 days after an order extending the interim order under subsection (5) had effect, or within the first 35 days after an order extending the interim order made under subsection (7) has effect, as the case may be, and

(i) the provision of such information is the subject of a written undertaking, or

(ii) the information was ordered to be provided under section 11; and

(c) the information is reasonably required to determine whether grounds exist for the Commissioner to make an application under any section referred to in paragraph (1)(a) or (b).

(5.4) An order extending an interim order issued under subsection (5.3) shall have effect for such period as the Tribunal considers necessary to give the Commissioner a reasonable opportunity to receive and review the information referred to in that subsection.

(5.5) If an application is made under subsection (5.1), the interim order has effect until the Tribunal makes a decision whether to grant an extension under subsection (5.3).

After debate, the question being put on the amendment, it was adopted on division.

Claude Drouin moved, -- That Bill C-23, in Clause 12, be amended by replacing, in the English version, line 31 on page 28 with the following:

on the day on which the order confirming the interim order is made; and

After debate, the question being put on the amendment, it was adopted on division.

Clause 12, as amended, carried on division.

On Clause 13

Moved by Claude Drouin, -- That Bill C-23, in Clause 13, be amended by

(a) replacing line 17 on page 29 with the following:

13.(1) Subsection 104(1) of the Act is re-



(b) replacing lines 21 to 23 on page 29 with the following:

an interim order under section 100 or 103.3, the Tribunal, on application by the Commissioner or a person who has made an application under section 75 or 77, may issue such interim order as it

(c) adding, after line 27 on page 29, the following:

(2) Subsection 104(3) of the Act is replaced by the following:

(3) Where an interim order issued under subsection (1) on application by the Commissioner is in effect, the Commissioner shall proceed as expeditiously as possible to complete proceedings under this Part arising out of the conduct in respect of which the order was issued.

After debate, the question being put on the amendment, it was adopted on division.

Clause 13, as amended, carried on division.

New Clause 13.1

Claude Drouin moved, -- That Bill C-23 be amended by adding after line 27 on page 29 the following:

13.1 Section 104.1 of the Act is amended by adding the following after subsection (5):

Application to Tribunal for extension

(5.1) The Commissioner may, before the expiry of the second 30-day period referred to in subsection (5) or of the period fixed by the Tribunal under subsection (7), as the case may be, apply to the Tribunal for a further extension of the temporary order.

(5.2) The Commissioner shall give at least 48 hours notice of an application referred to in subsection (5.1) to the person against whom the temporary order is made.

(5.3) The Tribunal may order that the effective period of the temporary order be extended if

(a) the Commissioner establishes that information requested for the purpose of the inquiry has not yet been provided or that more time is needed in order to review the information;

(b) the information was requested within the initial period that the temporary order had effect, within the first 30 days after an order extending the temporary order under subsection (5) has effect, or within the first 30 days after an order extending the temporary order made under subsection (7) has effect, as the case may be, and

(i) the provision of such information is the subject of a written undertaking, or

(ii) the information was ordered to be provided under section 11; and

(c) the information is reasonably required to determine whether grounds exist for the Commissioner to make an application under section 79.

(5.4) An order extending a temporary order issued under subsection (5.3) shall have effect for such period as the Tribunal considers necessary to give the Commissioner a reasonable opportunity to receive and review the information referred to in that subsection.

(5.5) If an application is made under subsection (5.1), the temporary order has effect until the Tribunal makes a decision whether to grant an extension under subsection (5.3).

After debate, the question being put on the amendment, it was adopted on division.

On Clause 14

Dan McTeague moved, -- That Bill C-23, in Clause 14, be amended by replacing lines 38 to 40 on page 29 with the following:

the Tribunal against that person.

After debate, the question being put on the amendment, it was adopted on division.

Dan McTeague moved, -- That Bill C-23, in Clause 14, be amended by

(a) replacing line 34 on page 29 with the following:

103.3 or a temporary order under section

(b) by replacing line 11 on page 30 with the following:

103.3, 104.1 or a consent agreement under section 106.1, on application by the Com-

(c) by adding after line 27 on page 30 the following:

Consent agreement - parties to a private action

106.1 (1) If a person granted leave under section 103.1 makes an application to the Tribunal for an order under section 75 or 77 and the terms of the order are agreed to by the person in respect of whom the order is sought and consistent with the provisions of this Act, a consent agreement may be filed with the Tribunal for registration.

(2) On filing the consent agreement with the Tribunal for registration, the parties shall serve a copy of it on the Commissioner without delay.

(3) The consent agreement shall be published without delay in the Canada Gazette.

(4) The consent agreement shall be registered within 30 days after its publication unless a third party makes an application to the Tribunal before then to cancel the agreement or replace it with an order of the Tribunal.

(5) Upon registration, the consent agreement has the same force and effect, and proceedings may be taken, as if it were an order of the Tribunal.

(6) On application by the Commissioner, the Tribunal may vary or rescind a registered consent agreement if it finds that the agreement has or is likely to have anti-competitive effects.

(7) The Commissioner must give notice of an application under subsection (6) to the parties to the consent agreement.

After debate, the question being put on the amendment, it was adopted on division.

Claude Drouin moved, -- That Bill C-23, in Clause 14, be amended by

(a) replacing line 8 on page 30 with the following:

106. (1) The Tribunal may rescind or vary a

(b) adding after line 27 on page 30 the following:

(2) A person directly affected by a consent agreement, other than a party to that agreement, may apply to the Tribunal within 60 days after the registration of the agreement to have one or more of its terms rescinded or varied. The Tribunal may grant the application if it finds that the person has established that the terms could not be the subject of an order of the Tribunal.

After debate, the question being put on the amendment, it was adopted on division.

Clause 14, as amended, carried on division.

On Clause 15

Claude Drouin moved, -- That Bill C-23, in Clause 15, be amended by replacing line 23 on page 31 with the following:

(3) A person granted leave under section 103.1 and the person against whom an order is sought under section 75 or 77 may by agreement refer to the Tribunal for determination any question of law, or mixed law and fact, in relation to the application or interpretation of Part VIII, if the Tribunal grants them leave. They must send a notice of their application for leave to the Commissioner, who may intervene in the proceedings.

(4) The Tribunal shall decide the questions

After debate, the question being put on the amendment, it was adopted on division.

Clause 15, as amended, carried on division.

Clause 16, carried on division.

New Clause 16.1

Claude Drouin moved, -- That Bill C-23 be amended by adding after line 34 on page 31 the following:

16.1 Subsection 8(1) of the Act is replaced by the following:

8. (1) The Tribunal has jurisdiction to hear and dispose of all applications made under Part VII.1 or VIII of the Competition Act and any related matters, as well as any matter under Part IX of that Act that is the subject of a reference under subsection 124.2(2) of that Act.

After debate, the question being put on the amendment, it was adopted on division.

On Clause 17

Claude Drouin moved, -- That Bill C-23, in Clause 17, be amended by replacing lines 4 to 7 on page 32 with the following:

Competition Act on a final or interim basis, in accordance with the provisions governing costs in the Federal Court Rules, 1998.



After debate, the question being put on the amendment, it was adopted on division.

Clause 17, as amended, carried on division.

Clause 18, carried on division.

On Clause 19

Claude Drouin moved, -- That Bill C-23, in Clause 19, be amended by replacing line 7 on page 33 with the following:

4.1(2) or (4) or 100(1), section 103.1, 103.3 or

After debate, the question being put on the amendment, it was adopted on division.

Clause 19, as amended, carried on division.

The Bill, as amended, carried.

ORDERED, -- That Bill C-23, *An Act to amend the Competition Act and the Competition Tribunal Act*, as amended, be reprinted for the use of the House of Commons at Second Reading and Report Stage.

ORDERED, -- That the Chair report Bill C-23 with amendments to the House as the Seventh Report of the Committee.

At 5:20 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee

HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 61**

**Wednesday, December 5, 2001**

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**ORDER OF THE DAY:**

Study of small and medium-sized enterprise bank lending

**WITNESSES:**

*Bank of Montreal:*

Derral G. Moriyama, Senior Vice-President, Sales Services and Market Segments, Small Business Banking;

Tim J. O'Neill, Executive Vice-President and Chief Economist;

Frank Techar, Executive Vice-President, Small Business Banking.

*Scotiabank:*

Bob Funk, Vice-President, Agriculture;

Susan Kennedy-Loewen, Vice-President, Small Business;

Mary Webb, Senior Economist.

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## MINUTES OF PROCEEDINGS

Meeting No. 61

Wednesday, December 5, 2001

The Standing Committee on Industry, Science and Technology met at 3:40 p.m. this day, in Room 308, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Stéphane Bergeron, Claude Drouin, Walt Lastewka, Dan McTeague, Chuck Strahl, Joseph Volpe and Susan Whelan.

*Other Member present:* Tony Ianno.

*In attendance: From the Library of Parliament:* Dan Shaw, Research Officers.

*Witnesses: From the Bank of Montreal:* Tim J. O'Neill, Executive Vice-President and Chief Economist; Frank Techar, Executive Vice-President, Small Business Banking; Derral G. Moriyama, Senior Vice-President, Sales, Services and Market Segments, Small Business Banking. *From Scotiabank:* Susan Kennedy-Loewen, Vice-President, Small Business; Bob Funk, Vice-President, Agriculture; Ron Kester, Director of Financial Planning, Canadian Commercial Banking; Mary Webb, Senior Economist.

Pursuant to Standing Order 108(2), consideration of Small and Medium-Sized Enterprise Bank Lending.

Frank Techar made an opening statement and, with the other witnesses from the Bank of Montreal, answered questions.

At 4:37 p.m., the sitting was suspended.

At 4:40 p.m., the sitting resumed.

Susan Kennedy-Loewen made an opening statement and, with the other witnesses from Scotiabank, answered questions.

At 5:40 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 62**

**Tuesday, December 11, 2001**

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**IN CAMERA**







## MINUTES OF PROCEEDINGS

Meeting No. 62

Tuesday, December 11, 2001

The Standing Committee on Industry, Science and Technology met *in camera* at 9:08 a.m. this day, in Room 209, West Block, the Chair, Susan Whelan, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Claude Drouin, Walt Lastewka, Dan McTeague, Charlie Penson, Andy Savoy, Brent St. Denis, Joseph Volpe and Susan Whelan.

*Other Member present:* Pat Martin.

*In attendance: From the Library of Parliament:* Dan Shaw, Research Officer.

The Committee proceeded *in camera* to its future business.

It was agreed, -- That the Committee the Research staff prepare a work plan on regulatory issues affecting Canada, the United States and Mexico with a view of the Committee undertaking a study in the new year.

It was agreed, -- That the Committee hold further roundtables on the topic of competition law and policy; that the roundtables be held, if possible, the week of February 4, 2002; that research staff prepare a draft report based on the evidence obtained at the December 4, 2001 roundtables for consideration by the Committee during the week of January 28, 2002; and, that the Commissioner of the Competition Bureau and his officials be invited to appear before the Committee in order to assist the members in preparing for the roundtables.

It was agreed, -- That the Committee invite Credit Unions, "la Caisse Desjardins", and other lending institutions such as the Atlantic Canada Opportunities Agency (ACOA) and the Western Diversification Agency (WED) on the topic of small and medium size enterprise bank lending.

It was agreed, -- That the Committee review the Report of the BDC entitled "*Supporting Small Business Innovation: Review of the Business Development Bank of Canada*" prepared by Industry Canada pursuant to Section 36 (3) of the BDC Act.

It was agreed, -- That the Committee hold hearings on each of the following topics:

- the Sustainable Cities Initiative;
- the Broadband Taskforce;
- the Regulations of the Patent Act;
- the processing of gas which flows into the Alaska Pipeline into chemicals and plastics; and gas competition and the access of gas, both on the east and west coast in the case of failure.

It was agreed, -- That the Research staff prepare a background note on the question of the preservation of the infrastructure of Petrolia, the site of the earliest oil discovery in North America.

It was agreed, -- That the Committee continue its hearings on the federal granting agencies in accordance with the December's 2001 updated research plan dated prepared by the Library of Parliament.

It was agreed, -- That the Committee submit to the following dates to the House Leaders seeking to permission to travel on the studies on regulations and on the federal granting process and science policies.

- Washington, DC: February 11, 12 and 13, 2002;
- Europe: February 25, 26, 27, 28 and 29th, 2002 or
- March 18, 19, 20, 21 and 22<sup>nd</sup>, 2002.

At 10:29 a.m., the Committee adjourned to the call of the Chair.

Normand Radford

Clerk of the Committee



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## MINUTES OF PROCEEDINGS

Meeting No. 63

Tuesday, January 29, 2002

The Standing Committee on Industry, Science and Technology met *in camera* at 9:06 a.m. this day, in Room 308, West Block, the Vice-Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Bev Desjarlais, Walt Lastewka, Dan McTeague, Andy Savoy, Brent St. Denis and Joseph Volpe.

*Acting Member present:* Werner Schmidt for Charlie Penson.

*In attendance: From the Library of Parliament:* Dan Shaw, Geoffrey P. Kieley and James McQueen, Research Officers.

Pursuant to the Committee's mandate under Standing Order 108(2), Consideration of the Competition Law and Policy.

The Committee proceeded to consider issues and options for the report on Competition Law and Policy.

At 10:55 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee

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HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 64**

**Thursday, January 31, 2002**

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**ORDER OF THE DAY:**

Study of Competition Law and Policy

**WITNESSES:**

*Industry Canada:*

Gaston Jorré, Acting Commissioner of Competition, Competition Bureau;

André Lafond, Deputy Commissioner of Competition, Civil Matters Branch, Competition Bureau;

R.W. McCrone, Assistant Deputy Commissioner of Competition, Criminal Matters Branch, Competition Bureau.







## MINUTES OF PROCEEDINGS

Meeting No. 64

Thursday, January 31, 2002

The Standing Committee on Industry, Science and Technology met at 9:10 a.m. this day, in Room 308, West Block, the Vice-Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Bev Desjarlais, Walt Lastewka, Brent St. Denis, Chuck Strahl and Paddy Torsney.

*In attendance: From the Library of Parliament:* Dan Shaw and Geoffrey P. Kieley, Research Officers.

*Witnesses: From the Department of Industry:* Gaston Jorré, Acting Commissioner of Competition, Competition Bureau; André Lafond, Deputy Commissioner of Competition, Civil Matters Branch, Competition Bureau; R.W. McCrone, Assistant Deputy Commissioner of Competition, Criminal Matters Branch, Competition Bureau.

Pursuant to the Committee's mandate under Standing Order 108(2), the Committee resumed consideration of Competition Law and Policy.

Gaston Jorré made an opening statement and, with the other witnesses, answered questions.

At 10:35 a.m., pursuant to Standing Order 39(5)(b), the Committee considered the failure by the Government to respond to Question 85 on the Order Paper.

At 10:45 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 65**

**Tuesday, February 5, 2002**

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**ORDER OF THE DAY:**

Study of Competition Law and Policy

**WITNESSES:**

**Round Table I**

*As Individuals:*

Paul Crampton;

John Rook;

Robert Russell;

Stanley Wong.

**Round Table II**

*As Individuals:*

Tim Kennish;

Roger Ware.









Français

## MINUTES OF PROCEEDINGS

Meeting No. 65

Tuesday, February 5, 2002

The Standing Committee on Industry, Science and Technology met in a televised session at 9:10 a.m. this day, in Room 237-C, Centre Block, the Vice-Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Bev Desjarlais, Walt Lastewka, Preston Manning, Dan McTeague, Charlie Penson, Andy Savoy, Brent St. Denis, Chuck Strahl and Paddy Torsney.

*In attendance: From the Library of Parliament:* Dan Shaw and Geoffrey P. Kieley, Research Officers.

*Witnesses: As Individual: Panel One:* Robert S. Russell, Lawyer, Borden Ladner Gervais; Stanley Wong, Lawyer, Davis and Company; John Rook, Lawyer, Osler, Hoskin & Harcourt; Paul Crampton, Lawyer, Davies Ward Phillips & Vineberg; *As Individual: Panel Two:* Roger Ware, Professor, Queen's University; Paul Crampton, Lawyer, Davies Ward Phillips & Vineberg; Tim Kennish, Lawyer, Osler, Hoskin & Harcourt.

Pursuant to the Committee's mandate under Standing Order 108(2), Consideration of the Competition Law and Policy.

Panel One: The Competition Tribunal - Procedures and Remedies:

The witnesses made opening statements and answered questions.

At 11:20 a.m., the sitting was suspended.

At 11:25 a.m., the sitting resumed.

Panel Two: Efficiencies in Competition Policy:

The witnesses made opening statements and answered questions.

At 1:01 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Susan Whelan, Lib.

**Meeting No. 66**

**Thursday, February 7, 2002**

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**ORDER OF THE DAY:**

Study on the Three Federal Granting Agencies, Peer Review Funding, and the Canada Research Chairs Program

**WITNESSES:**

*Alberta Heritage Foundation for Medical Research:*

Matthew Spence, President and Chief Executive Officer.

*“Institut national de recherche scientifique (INRS)”:*

Benoît Godin, Professor, Director, “Observatoire des sciences et des technologies”.

*Simon Fraser University:*

J.A.D. Holbrook, Adjunct Professor, Associate Director, Centre for Policy Research on Science and Technology (CPROST).







Français

## MINUTES OF PROCEEDINGS

Meeting No. 66

Thursday, February 7, 2002

The Standing Committee on Industry, Science and Technology met at 9:10 a.m. this day, in Room 308, West Block, the Vice-Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Bev Desjarlais, Walt Lastewka, Charlie Penson, James Rajotte, Andy Savoy and Brent St. Denis.

*In attendance: From the Library of Parliament:* Dan Shaw and Lalita Acharya, Research Officers.

*Witnesses: From the Alberta Heritage Foundation for Medical Research:* Matthew Spence, President and Chief Executive Officer. *From Simon Fraser University:* Adam Holbrook, Associate Director and Adjunct Professor, Centre for Policy Research on Science and Technology (CPROST). *From the "Observatoire des sciences et des technologies":* Benoît Godin, Professor, INRS.

Pursuant to Standing Order 108(2), the Committee resumed consideration of its study on the Three Federal Granting Agencies, Peer Review Funding, and the Canada Research Chairs Program.

The witnesses made opening statements and answered questions.

At 10:50 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee





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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 67**

**Tuesday, February 19, 2002**

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**ORDERS OF THE DAY:**

Election of a Chair and Vice-Chair

Consideration of the topic of Three Federal Granting Agencies, Peer Review Funding, and the Canada Research Chairs Program

**WITNESSES:**

*Hong Kong Economic and Trade Office (Canada):*

Kenneth Cheng, Deputy Director;

Rosanna Ure, Director.

*Hong Kong Legislative Council:*

Sandy Chu, Parliamentary Secretariat;

Michael Mak Kwok-fung, Representative, House Services;

Chan Kwok-keung, Chairman, Establishment Subcommittee;

Lui Ming-wah, Chairman, Parliamentary Liaison Subcommittee;

Fred Li Wah-ming, Deputy Chairman, House Committee;

Yeung Yiu-chung, Chairman, Panel on Education;

Philip Wong Yu-hong, Chairman, Finance Committee;



Tommy Cheung Yu-yan, Deputy Chairman, Panel on Food Safety and Environmental Hygiene.



Français

## MINUTES OF PROCEEDINGS

Meeting No. 67

Tuesday, February 19, 2002

The Standing Committee on Industry, Science and Technology met at 9:10 a.m. this day, in Room 308, West Block.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Bev Desjarlais, Walt Lastewka, Dan McTeague, Charlie Penson, James Rajotte, Andy Savoy, Brent St. Denis and Joseph Volpe.

*Acting Members present:* Ovid Jackson for Susan Whelan, Marlene Catterall for Paddy Torsney and Bob Speller for Claude Drouin.

*Other Member present:* Sophia Leung.

*In attendance: From the Library of Parliament:* Dan Shaw and Lalita Acharya, Research Officers.

*Witnesses: From the Hong Kong Legislative Council Delegation:* LUI Ming-wah, JP; Michael MAK Kwok-fung; WONG Yu-hong; Fred LI Wah-ming, JP; Tommy Cheung Yu-yan, JP; Yeung Yiu-chung, BBS; CHAN Kwok-keug; WONG Sing-Chi; Sandy Chu, Legislative Council Secretariat. *From the Hong Kong Economic and Trade Office:* Rosanna Ure, Director; Kenneth Cheng, Deputy Director.

Pursuant to Standing Order 106(2), Election of a Chair.

The Clerk of the Committee presided over the election of the Chair.

Dan McTeague, seconded by Charlie Penson, moved, - That Walt Lastewka be the Chair of the Committee.

The question being asked on the motion, Walt Lastewka was elected Chair of the Committee.

Walt Lastewka took the Chair.

Pursuant to Standing Order 106(2), election of a Vice-Chair.

The Chair presided over the election of the Vice-Chair (Government).

Andy Savoy moved, - That Paddy Torsney be elected Vice-Chair (Government) of the Committee.

The question being asked on the motion, it was negatived.

Joseph Volpe moved, - That Dan McTeague be elected Vice-Chair (Government) of the Committee.

The question being put on the motion, Dan McTeague was elected Vice-Chair (Government) of the

Committee.

At 9:15 a.m., the Committee proceeded to sit *in camera*.

Pursuant to Standing Order 108(2), the Committee proceeded to consider the topic of the Three Federal Granting Agencies, Peer Review Funding, and the Canada Research Chairs Program.

At 10:54 a.m., the sitting was suspended.

At 10:55 a.m., the sitting resumed.

Pursuant to Standing Order 108(2), the Committee proceeded to meet with a delegation from the Hong Kong Legislative Council on the subject of industry.

Lui Ming made an opening statement and with the other members of the delegation and members of the Committee proceeded to a discussion.

At 11:55 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 68**

**Thursday, February 21, 2002**

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**IN CAMERA**







## MINUTES OF PROCEEDINGS

Meeting No. 68

Thursday, February 21, 2002

The Standing Committee on Industry, Science and Technology met *in camera* at 9:10 a.m. this day, in Room 371, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Stéphane Bergeron, Bev Desjarlais, Walt Lastewka, Dan McTeague, Charlie Penson, Andy Savoy and Brent St. Denis.

*In attendance: From the Library of Parliament:* Dan Shaw and Lalita Acharya, Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed consideration of its study on the Three Federal Granting Agencies, Peer Review Funding, and the Canada Research Chairs Program (*See Minutes of Proceedings, Tuesday, October 16, 2001, Meeting No. 39*) and the Competition Law and Policy (*See Minutes of Proceedings, Tuesday, December 4th, 2001, Meeting No. 59*).

At 10:55 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee





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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 69**

**Tuesday, February 26, 2002**

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**IN CAMERA**

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## MINUTES OF PROCEEDINGS

Meeting No. 69

Tuesday, February 26, 2002

The Standing Committee on Industry, Science and Technology met *in camera* at 9:17 a.m. this day, in Room 308, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Bev Desjarlais, Walt Lastewka, Serge Marcil, Dan McTeague, Charlie Penson, Brent St. Denis, Paddy Torsney and Joseph Volpe.

*In attendance: From the Library of Parliament:* Dan Shaw and Geoffrey P. Kieley, Research Officers.

Pursuant to the Committee's mandate under Standing Order 108(2), the Committee resumed consideration of a draft report Competition Law and Policy (*See Minutes of Proceedings, Tuesday, December 4th, 2001, Meeting No. 59*).

At 10:55 a.m., the sitting was suspended.

At 10:58 a.m., the sitting resumed.

At 11:14 a.m., the sitting was suspended.

At 11:54 a.m., the sitting resumed.

At 11:58 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 70**

**Wednesday, February 27, 2002**

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**IN CAMERA**







## MINUTES OF PROCEEDINGS

Meeting No. 70

Wednesday, February 27, 2002

The Standing Committee on Industry, Science and Technology met *in camera* at 3:45 p.m. this day, in Room 371, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Bev Desjarlais, Walt Lastewka, Serge Marcil, Dan McTeague, Charlie Penson and Brent St. Denis.

*In attendance: From the Library of Parliament:* Dan Shaw and Geoffrey P. Kieley, Research Officers.

Pursuant to the Committee's mandate under Standing Order 108(2), the Committee resumed consideration of a draft report on Competition Law and Policy (*See Minutes of Proceedings, Tuesday, December 4th, 2001, Meeting No. 59*).

At 5:00 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 71**

**Thursday, February 28, 2002**

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**IN CAMERA**







## MINUTES OF PROCEEDINGS

Meeting No. 71

Thursday, February 28, 2002

The Standing Committee on Industry, Science and Technology met *in camera* at 9:05 a.m. this day, in Room 269, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Bev Desjarlais, Walt Lastewka, Serge Marcil, Dan McTeague, Charlie Penson, Brent St. Denis, Paddy Torsney and Joseph Volpe.

*In attendance: From the Library of Parliament:* Dan Shaw and Geoffrey P. Kieley, Research Officers.

Pursuant to the Committee's mandate under Standing Order 108(2), the Committee resumed consideration of a draft report on Competition Law and Policy (*See Minutes of Proceedings, Tuesday, December 4th, 2001, Meeting No. 59*).

At 11:00 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 72**

**Tuesday, March 12, 2002**

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**IN CAMERA**









Français

## MINUTES OF PROCEEDINGS

Meeting No. 72

Tuesday, March 12, 2002

The Standing Committee on Industry, Science and Technology met *in camera* at 9:15 a.m. this day, in Room 536, Wellington Building, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Walt Lastewka, Serge Marcil, Dan McTeague, Charlie Penson, James Rajotte, Andy Savoy, Brent St. Denis and Paddy Torsney.

*In attendance: From the Library of Parliament:* Dan Shaw and Geoffrey P. Kieley, Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed consideration of a draft report of the Competition Law and Policy (*See Minutes of Proceedings, Tuesday, December 4th, 2001, Meeting No. 59*).

At 11:55 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 73**

**Thursday, March 14, 2002**

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**IN CAMERA**

APR 26 2002





Français

## MINUTES OF PROCEEDINGS

Meeting No. 73

Thursday, March 14, 2002

The Standing Committee on Industry, Science and Technology met *in camera* at 9:15 a.m. this day, in Room 307, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Walt Lastewka, Serge Marcil, Dan McTeague, Charlie Penson, James Rajotte, Andy Savoy and Brent St. Denis.

*In attendance: From the Library of Parliament:* Dan Shaw and Geoffrey P. Kieley, Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed consideration of a draft report of the Competition Law and Policy (*See Minutes of Proceedings, Tuesday, December 4th, 2001, Meeting No. 59*).

It was agreed, -- That the dissenting opinions be no more than five pages and be submitted to the Clerk in both official languages by Friday, April 12, 2002 or, in one language, by Thursday, April 11, 2002.

At 11:05 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 74**

**Tuesday, April 9, 2002**

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**IN CAMERA**

NOV 26 2002



HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 75**

**Thursday, April 11, 2002**

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**ORDER OF THE DAY:**

Study on the Three Federal Granting Agencies, Peer Review Funding, and the Canada Research Chairs Program

**WITNESSES:**

*Canadian Polar Commission:*

Steven Bigras, Executive Director;

Peter Johnson, Chair.

NOV 26 2002





Français

## MINUTES OF PROCEEDINGS

Meeting No. 75

Thursday, April 11, 2002

The Standing Committee on Industry, Science and Technology met at 9:20 a.m. this day, in Room 269, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Bev Desjarlais, Walt Lastewka, James Rajotte, Brent St. Denis and Paddy Torsney.

*Acting Member present:* Cheryl Gallant for Charlie Penson.

*Other Member present:* Brian Fitzpatrick.

*In attendance: From the Library of Parliament:* Dan Shaw and Lalita Acharya, Research Officers.

*Witnesses: From the Canadian Polar Commission:* Peter Johnson, Chair; Steven Bigras, Executive Director.

Pursuant to Standing Order 108(2), the Committee resumed consideration of its study on the Three Federal Granting Agencies, Peer Review Funding, and the Canada Research Chairs Program (*See Minutes of Proceedings, Tuesday, October 16, 2001, Meeting No. 39*).

Peter Johnson made an opening statement and with Steven Bigras, answered questions.

At 10:30 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 76**

**Tuesday, April 16, 2002**

---

**ORDER OF THE DAY:**

Consideration of the Business Development Bank of Canada further to Subsection 36(3) of the BDC Act

**WITNESSES:**

*Department of Industry:*

Robert Dunlop, Director General, Small Business Policy Branch;

Peter Webber, Manager, Small Business Financing Policy.









Français

## MINUTES OF PROCEEDINGS

Meeting No. 76

Tuesday, April 16, 2002

The Standing Committee on Industry, Science and Technology met at 9:08 a.m. this day, in Room 705, La Promenade Building, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Bev Desjarlais, Walt Lastewka, James Rajotte, Andy Savoy and Brent St. Denis.

*Acting Members present:* Brian Fitzpatrick for Charlie Penson, John Harvard for Joseph Volpe, Bob Wood for Susan Whelan, Bernard Patry for Paddy Torsney and Alan Tonks for Serge Marcil.

*Other Member present:* Cheryl Gallant.

*In attendance: From the Library of Parliament:* Dan Shaw, Research Officer.

*Witnesses: From the Department of Industry:* Robert Dunlop, Director General, Small Business Policy Branch; Peter Webber, Manager, Small Business Financing Policy.

Pursuant to Standing Order 108(2), the Committee commenced consideration of the Business Development Bank of Canada further to Subsection 36(3) of the BDC Act.

Robert Dunlop made an opening statement and, with Peter Webber, answered questions.

At 11:05 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 77**

**Wednesday, April 17, 2002**

---

**ORDER OF THE DAY:**

Consideration of the Business Development Bank of Canada further to subsection 36(3) of the BDC Act

**WITNESSES:**

*Business Development Bank of Canada:*

Cedric Ritchie, Chairman of the Board;

Michel Vennat, President and Chief Executive Officer.

NOV 26 2002





Français

## MINUTES OF PROCEEDINGS

Meeting No. 77

Wednesday, April 17, 2002

The Standing Committee on Industry, Science and Technology met at 3:35 p.m. this day, in Room 371, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Scott Brison, Walt Lastewka, Serge Marcil, Dan McTeague, James Rajotte and Brent St. Denis.

*Acting Members present:* Cheryl Gallant for Charlie Penson, John Finlay for Andy Savoy, Gérard Binet for Joseph Volpe, Larry McCormick for Susan Whelan and Jim Peterson for Paddy Torsney.

*In attendance: From the Library of Parliament:* Dan Shaw, Research Officer.

*Witnesses: From the Business Development Bank of Canada:* Cedric E. Ritchie, Chairman of the Board; Michel Vennat, President and Chief Executive Officer.

Pursuant to Standing Order 108(2), the Committee proceeded to consider the mandate and administration of the Office of the Ethics Counsellor.

James Rajotte moved, - That the Ethics Counsellor be invited to appear before the House Standing Committee on Industry, Science and Technology to discuss the guidelines for Ministers involved in organizing leadership campaigns, as well as any other matters concerning his mandate.

The question being put on the motion, it was agreed to.

Pursuant to Standing Order 108(2), the Committee resumed consideration of the Business Development Bank of Canada further to subsection 36(3) of the BDC Act (*See Minutes of Proceedings, Tuesday, 16, 2002, Meeting No. 76*).

Cedric E. Ritchie and Michel Vennat each made an opening statement and answered questions.

It was agreed, - That the Chair write to the Minister of Finance and to the Minister of Industry informing them that the Committee concluded its review of the Report of the Business Development Bank of Canada in accordance with Section 36(3) of the *BDC Act*.

At 5:20 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee





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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 78**

**Thursday, April 18, 2002**

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**ORDER OF THE DAY:**

Consideration of Small and Medium-Sized Enterprise Bank Lending

**WITNESSES:**

*Credit Union Central of Canada:*

Robert Martin, Director of Government Affairs.

*"Fédération des caisses Desjardins du Québec":*

Normand Houle, Vice-President, Business Market.

*Niagara Credit Union:*

Leo Gautreau, vice-President of Corporate Development.

APR 26 2002





Français

## MINUTES OF PROCEEDINGS

Meeting No. 78

Thursday, April 18, 2002

The Standing Committee on Industry, Science and Technology met at 9:15 a.m. this day, in Room 269, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Stéphane Bergeron, Bev Desjarlais, Walt Lastewka, Serge Marcil, James Rajotte and Brent St. Denis.

*Acting Members present:* Cheryl Gallant for Charlie Penson.

*Other Member present:* Brian Fitzpatrick.

*In attendance: From the Library of Parliament:* Dan Shaw, Research Officers.

*Witnesses: From the "Fédération des Caisses Desjardins du Québec":* Normand Houle, Vice-President, Business Market, "Fédération des caisses Desjardins du Québec"; Yves Morency, Vice-President, Government Relations, "Fédération des caisses Desjardins du Québec"; Luc Savard, Vice-President, Government Relations, "Fédération des caisses Desjardins du Québec (Lévis)". *From the Credit Union Central of Canada:* Leo Gautreau, Vice-President of Corporate Development, Niagara Credit Union; Rob Martin, Director of Government Affairs, Canadian Central.

Pursuant to Standing Order 108(2), the Committee resumed consideration of Small and Medium-Sized Enterprise Bank Lending.

Normand Houle, Rob Martin and Leo Gautreau each made an opening statement and, with the other witnesses, answered questions.

At 10:00 a.m., the sitting was suspended.

At 10:30 a.m., the sitting resumed.

At 11:00 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 79**

**Tuesday, April 23, 2002**

---

**ORDER OF THE DAY:**

Study on the Three Federal Granting Agencies, Peer Review Funding, and the Canada Research Chairs Program

**WITNESS:**

*University of New England, Australia:*

Fiona Wood, Senior Research Fellow and Lecturer, Centre for Higher Education and Management Policy, School of Professional Development and Leadership.







Français

## MINUTES OF PROCEEDINGS

Meeting No. 79

Tuesday, April 23, 2002

The Standing Committee on Industry, Science and Technology met by videoconference at 7:05 p.m. this day, in Room 701, La Promenade Building, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Bev Desjarlais, Brian Fitzpatrick, Cheryl Gallant, Walt Lastewka, Serge Marcil, Dan McTeague, James Rajotte and Joseph Volpe.

*In attendance: From the Library of Parliament:* Dan Shaw and Lalita Acharya, Research Officers.

*Witness: As Individual:* Fiona Q. Wood, Senior Research Fellow and Lecturer, Centre for Higher Education and Management Policy, School of Professional Development and Leadership, University of New England.

Pursuant to Standing Order 108(2), the Committee resumed consideration of its study on the Three Federal Granting Agencies, Peer Review Funding, and the Canada Research Chairs Program (*See Minutes of Proceedings, Tuesday, October 16, 2001, Meeting No. 39*).

Fiona Wood made an opening statement and answered questions.

By unanimous consent, the Committee proceeded to the election of a Vice-Chair pursuant to Standing Order 106(2).

Cheryl Gallant moved, -- That James Rajotte be elected Vice-Chair.

The question being put on the motion, it was agreed to.

At 8:30 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 80**

**Tuesday, May 7, 2002**

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**ORDERS OF THE DAY:**

Study of the Main Estimates for the fiscal year ending March 31, 2003, Votes 1, 5, L10, L15, 30, 35, 40, 45, 50, 55, 70, 75, 80, 85, 90, 95, 100, 105, 110 and 115 under INDUSTRY

Consideration of the innovation strategy

**APPEARING:**

Hon. Allan Rock, Minister of Industry







Français

## MINUTES OF PROCEEDINGS

Meeting No. 80

Tuesday, May 7, 2002

The Standing Committee on Industry, Science and Technology met at 9:00 a.m. this day, in Room 308, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Scott Brison, Bev Desjarlais, Brian Fitzpatrick, Cheryl Gallant, Walt Lastewka, Serge Marcil, Dan McTeague, James Rajotte, Andy Savoy, Brent St. Denis, Paddy Torsney and Joseph Volpe.

*In attendance: From the Library of Parliament:* Dan Shaw, Lalita Acharya and James McQueen, Research Officers.

*Appearing:* The Hon. Allan Rock, Minister of Industry.

Pursuant to the Order of Reference of the House dated February 28, 2002, the Committee proceeded to consider the Main Estimates for the fiscal year ending March 31, 2003, Votes 1, 5, L10, L15, 30, 35, 40, 45, 50, 55, 70, 75, 80, 85, 90, 95, 100, 105, 110, 115, 120 and 125 under INDUSTRY and pursuant to Standing Order 108(2), the Committee proceeded to consideration of the Innovation Strategy.

The Honourable Allan Rock made an opening statement and answered questions.

At 10:30 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 81**

**Wednesday, May 8, 2002**

---

**ORDER OF THE DAY:**

Consideration of the Main Estimates for the fiscal year ending March 31, 2003, Votes 120 and 125 under INDUSTRY

**APPEARING:**

Hon. Stephen Owen, Secretary of State (Western Economic Diversification)

**WITNESS:**

*Western Economic Diversification:*

Oryssia Lennie, Deputy Minister.









Français

## MINUTES OF PROCEEDINGS

Meeting No. 81

Wednesday, May 8, 2002

The Standing Committee on Industry, Science and Technology met at 3:40 p.m. this day, in Room 308, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Brian Fitzpatrick, Walt Lastewka, Serge Marcil, Dan McTeague and James Rajotte.

*In attendance: From the Library of Parliament:* Dan Shaw, Lalita Acharya and James McQueen, Research Officers.

*Appearing:* The Hon. Stephen Owen, Secretary of State (Western Economic Diversification).

*Witness: From Western Economic Diversification Canada:* Oryssia J. Lennie, Deputy Minister.

Pursuant to the Order of Reference of the House dated February 28, 2002, the Committee resumed consideration of the Main Estimates for the fiscal year ending March 31, 2003, Votes 120 and 125 under INDUSTRY (*See Minutes of Proceedings, Tuesday, May 7, 2002, Meeting No. 80*).

The Hon. Stephen Owen made an opening statement and, with Oryssia Lennie, answered questions.

At 5:00 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 82**

**Thursday, May 9, 2002**

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**ORDER OF THE DAY:**

Consideration of the Main Estimates for the fiscal year ending March 31, 2003, Votes 1, 5, 20 and 25 under INDUSTRY

**APPEARING:**

Hon. Gerry Byrne, Minister of State (Atlantic Canada Opportunities Agency)

Hon. Andy Mitchell, Secretary of State (Rural Development) (Federal Economic Development Initiative for Northern Ontario)

**WITNESS:**

*Atlantic Canada Opportunities Agency:*

Dennis Wallace, President.







## MINUTES OF PROCEEDINGS

Meeting No. 82

Thursday, May 9, 2002

The Standing Committee on Industry, Science and Technology met in a televised session at 9:00 a.m. this day, in Room 253-D, Centre Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Scott Brison, Brian Fitzpatrick, Cheryl Gallant, Walt Lastewka, Serge Marcil, James Rajotte, Andy Savoy, Brent St. Denis and Paddy Torsney.

*Acting Members present:* Murray Calder for Susan Whelan.

*In attendance: From the Library of Parliament:* Dan Shaw, Lalita Acharya and James McQueen, Research Officers.

*Appearing:*

The Hon. Andy Mitchell, Secretary of State (Federal Economic Development Initiative for Northern Ontario);

The Hon. Gerry Byrne, Minister of State (Atlantic Canada Opportunities Agency).

*Witnesses: From the Federal Economic Development Initiative for Northern Ontario:* Louise Paquette, Director General. *From the Atlantic Canada Opportunities Agency:* Dennis Wallace, President; Paul J. LeBlanc, Vice-President, Policy and Programs; Peter Estey, Vice-President, Finance and Corporate Services.

Pursuant to the Order of Reference of the House dated February 28, 2002, the Committee resumed consideration of the Main Estimates for the fiscal year ending March 31, 2003, Votes 1, 5, 20 and 25 under INDUSTRY (*See Minutes of Proceedings, Tuesday, May 7, 2002, Meeting No. 80*).

The Hon. Andy Mitchell made an opening statement and, with Louise Paquette, answered questions.

The Hon. Gerry Byrne made an opening statement and, with Dennis Wallace, Paul LeBlanc and Peter Estey, answered questions.

At 11:00 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 83**

**Tuesday, May 21, 2002**

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**ORDER OF THE DAY:**

Consideration of the Main Estimates for the fiscal year ending March 31, 2003, Votes 60 and 65 under INDUSTRY

**APPEARING:**

Hon. Claude Drouin, Secretary of State (Economic Development Agency of Canada for the Regions of Quebec)









Français

## MINUTES OF PROCEEDINGS

Meeting No. 83

Tuesday, May 21, 2002

The Standing Committee on Industry, Science and Technology met at 3:37 p.m. this day, in Room 371, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Brian Fitzpatrick, Cheryl Gallant, Jocelyne Girard-Bujold, Walt Lastewka, Serge Marcil, James Rajotte, Andy Savoy and Brent St. Denis.

*Acting Members present:* Paul Crête for Stéphane Bergeron and Guy St-Julien for Paddy Torsney.

*In attendance: From the Library of Parliament:* Dan Shaw, Lalita Acharya and James McQueen, Research Officers.

*Appearing:* The Hon. Claude Drouin, Secretary of State (Economic Development Agency of Canada for the Regions of Quebec).

*Witnesses: From the Economic Development Agency of Canada for the Regions of Quebec:* André Gladu, Deputy Minister; Jocelyn Jacques, Assistant Deputy Minister, Policy, Planning and Information; Suzanne Tining, Assistant Deputy Minister, Operations.

Pursuant to the Order of Reference of the House dated February 28, 2002, Main Estimates for the fiscal year ending March 31, 2003, Votes 60 and 65, under INDUSTRY (*See Minutes of Proceedings, Tuesday, May 7, 2002, Meeting No. 80*).

The Hon. Claude Drouin made an opening statement and, with the other witnesses, answered questions.

At 5:08 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 84**

**Thursday, May 23, 2002**

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**IN CAMERA**







Français

## MINUTES OF PROCEEDINGS

Meeting No. 84

Thursday, May 23, 2002

The Standing Committee on Industry, Science and Technology met *in camera* at 9:09 a.m. this day, in Room 705, La Promenade Building, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Brian Fitzpatrick, Cheryl Gallant, Walt Lastewka, Serge Marcil, Joe McGuire, James Rajotte, Andy Savoy and Brent St. Denis.

*In attendance: From the Library of Parliament:* Dan Shaw and Lalita Acharya, Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed its consideration of its study on the Three Federal Granting Agencies, Peer Review Funding, and the Canada Research Chairs Program (*See Minutes of Proceedings, Tuesday, October 16, 2001, Meeting No. 39*).

At 10:51 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 85**

**Tuesday, May 28, 2002**

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**IN CAMERA**







Français

## MINUTES OF PROCEEDINGS

Meeting No. 85

Tuesday, May 28, 2002

The Standing Committee on Industry, Science and Technology met *in camera* at 9:05 a.m. this day, in Room 209, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Bev Desjarlais, Brian Fitzpatrick, Cheryl Gallant, Walt Lastewka, Serge Marcil, James Rajotte, Andy Savoy, Brent St. Denis and Paddy Torsney.

*In attendance: From the Library of Parliament:* Dan Shaw, Lalita Acharya and James McQueen, Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed its consideration of its study on the Three Federal Granting Agencies, Peer Review Funding, and the Canada Research Chairs Program (*See Minutes of Proceedings, Tuesday, October 16, 2001, Meeting No. 39*).

At 11:58 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 86**

**Wednesday, May 29, 2002**

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**IN CAMERA**







## MINUTES OF PROCEEDINGS

Meeting No. 86

Wednesday, May 29, 2002

The Standing Committee on Industry, Science and Technology met *in camera* at 3:42 p.m. this day, in Room 308, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Stéphane Bergeron, Brian Fitzpatrick, Walt Lastewka, Andy Savoy and Brent St. Denis.

*In attendance: From the Library of Parliament:* Dan Shaw, Lalita Acharya and James McQueen, Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed its consideration of its study on the Three Federal Granting Agencies, Peer Review Funding, and the Canada Research Chairs Program (*See Minutes of Proceedings, Tuesday, October 16, 2001, Meeting No. 39*).

At 5:25 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 87**

**Thursday, May 30, 2002**

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**ORDER OF THE DAY:**

Study of the Main Estimates for the fiscal year ending March 31, 2003, Votes 1, 5, L10, L15, 20, 25, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100, 105, 110, 115, 120 and 125 under INDUSTRY

**APPEARING:**

Hon. Rey Pagtakhan, Secretary of State (Science, Research and Development)

**WITNESSES:**

*Industry Canada:*

George Michaliszyn, Director, Life Sciences Branch;

Marie Tobin, Director General, Innovation Policy Branch.

*Natural Sciences and Engineering Research Council of Canada:*

Isabelle Blain, Director General, Research and Scholarships.

*Social Sciences and Humanities Research Council of Canada:*

France Landriault, Director, Policy and Liaison Branch.







## MINUTES OF PROCEEDINGS

Meeting No. 87

Thursday, May 30, 2002

The Standing Committee on Industry, Science and Technology met at 9:10 a.m. this day, in Room 269, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Brian Fitzpatrick, Cheryl Gallant, Jocelyne Girard-Bujold, Walt Lastewka, Joe McGuire, Dan McTeague, James Rajotte, Andy Savoy, Brent St. Denis and Joseph Volpe.

*Acting Members present:* Reg Alcock for Larry Bagnell and Massimo Pacetti for Serge Marcil.

*In attendance: From the Library of Parliament:* Dan Shaw, Lalita Acharya and James McQueen, Research Officers.

*Appearing:* The Hon. Rey Pagtakhan, Secretary of State (Science, Research and Development).

*Witnesses: From the Department of Industry:* Marie Tobin, Director General, Innovation Policy Branch; George Michaliszyn, Director, Life Sciences Branch. *From the Natural Sciences and Engineering Research Council of Canada:* Isabelle Blain, Director General, Research and Scholarships. *From the Social Sciences and Humanities Research Council of Canada:* France Landriault, Director, Policy, Planning and International Collaboration.

Pursuant to the Order of Reference of the House dated February 28, 2002, the Committee resumed its consideration of its study on the Main Estimates for the fiscal year ending March 31, 2003, Votes 1, 5, L10, L15, 20, 25, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100, 105, 110, 115, 120 and 125 under INDUSTRY (See *Minutes of Proceedings, Tuesday, May 7, 2002, Meeting No. 80*).

The Hon. Rey Pagtakhan made an opening statement and, with the other witnesses answered questions.

On motion of Brent St-Denis, it was agreed, on division, -- That the Committee adopt the Main Estimates for the fiscal year ending March 31, 2003 and report the same to the House, less the amounts voted in the Interim Supply.

Dan McTeague moved, -- That the House of Commons Standing Committee on Industry, Science and Technology undertake to review at its earliest opportunity the Patent Act with respect to the Notice of Compliance Regulations concerning patented medicines.

And debate arising thereon.

On motion of Cheryl Gallant, it was agreed, -- That the motion be considered at the next future business meeting.

At 10:44 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee

HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 1st SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 88**

**Tuesday, June 4, 2002**

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**ORDERS OF THE DAY:**

Future business

Study on the Three Federal Granting Agencies, Peer Review Funding, and the Canada Research Chairs Program

**WITNESS:**

*As Individual:*

Ronald Kostoff.









## MINUTES OF PROCEEDINGS

Meeting No. 88

Tuesday, June 4, 2002

The Standing Committee on Industry, Science and Technology met *in camera* at 9:14 a.m. this day, in Room 701, La Promenade Building, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Bev Desjarlais, Cheryl Gallant, Jocelyne Girard-Bujold, Walt Lastewka, Serge Marcil, Joe McGuire, Dan McTeague, James Rajotte, Brent St. Denis and Joseph Volpe.

*In attendance: From the Library of Parliament:* Dan Shaw, Lalita Acharya, Geoffrey P. Kieley and James McQueen, Research Officers.

*Witness: As Individual:* Ronald N. Kostoff, United State Citizen.

The Committee proceeded to consider its future business.

It was agreed, -- That the Committee invite officials from Industry Canada and Statistics Canada to discuss the topic of innovation, productivity and growth.

It was agreed, -- That, pursuant to Standing Order 97.1, the Chair present a report to the House requesting an extension of thirty (30) sitting days for the Committee to study Bill C-248 *An Act to Amend the Competition Act*.

It was agreed, -- That the Clerk communicate with the Ontario Forest Industries Association (OFIA) seeking information further to the letter to the Chair in which the OFIA request to appear before the Committee on the topic of U.S. softwood lumber duties.

It was agreed, -- That the Ethics Counsellor be invited to appear before the Committee on Tuesday, June 11, 2002 or at the earliest opportunity after the new guidelines are made public.

It was agreed, -- That the Committee undertake to review, the conflict of interest at its earliest opportunity, the *Patent Act* with respect to the Notice of Compliance Regulations concerning patented medicines with particular emphasis on automatic injunction provisions".

It was agreed, -- That the Committee invite officials from Industry Canada to discuss the Report on Financing Data for small and medium enterprises.

At 10:00 a.m., the Committee proceeded to meet *via* a videoconference.

Pursuant to Standing Order 108(2), the Committee resumed consideration of its study on the Three Federal Granting Agencies, Peer Review Funding, and the Canada Research Chairs Program (*See Minutes of Proceedings, Tuesday, October 16, 2001, Meeting No. 39*).

Ronald Kostoff made a presentation and answered questions.

At 11:25 a.m., the Committee proceeded to sit *in camera*.

At 11:31 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee

HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 89**

**Thursday, June 6, 2002**

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**IN CAMERA**







Français

## MINUTES OF PROCEEDINGS

Meeting No. 89

Thursday, June 6, 2002

The Standing Committee on Industry, Science and Technology met *in camera* at 9:02 a.m. this day, in Room 705, La Promenade Building, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Stéphane Bergeron, Brian Fitzpatrick, Walt Lastewka, Serge Marcil, Joe McGuire, Dan McTeague, James Rajotte, Andy Savoy, Brent St. Denis and Joseph Volpe.

*In attendance: From the Library of Parliament:* Lalita Acharya and James McQueen, Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed consideration of its study on the Three Federal Granting Agencies, Peer Review Funding, and the Canada Research Chairs Program (*See Minutes of Proceedings, Tuesday, October 16, 2001, Meeting No. 39*).

It was agreed, -- That the Committee authorize the printing of dissenting or supplementary opinions as an appendix to this report, immediately following the signature of the Chair.

It was agreed, -- That the opinions be limited to not more than five (5) pages.

It was agreed, -- That the opinions be received by the Clerk in both official languages no later than Monday, June 10, 2002 at 3:00 p.m.

At 10:38 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 90**

**Tuesday, June 11, 2002**

---

**ORDERS OF THE DAY:**

Study of the subject of innovation, productivity and growth

Study on the Three Federal Granting Agencies, Peer Review Funding, and the Canada Research Chairs Program

Report by the Chair of the Tenth Report, as amended, to the House of Commons

**WITNESSES:**

*Industry Canada:*

Someshwar Rao, Director, Strategic Investment Analysis;

Renée St-Jacques, Chief Economist and Director General, Micro-Economic Policy and Analysis Branch.

*Statistics Canada:*

John Baldwin, Director, Micro-Economic Studies and Analysis.









## MINUTES OF PROCEEDINGS

Meeting No. 90

Tuesday, June 11, 2002

The Standing Committee on Industry, Science and Technology met at 9:10 a.m. this day, in Room 269, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Brian Fitzpatrick, Cheryl Gallant, Walt Lastewka, Serge Marcil, Joe McGuire, Dan McTeague, Andy Savoy and Brent St. Denis.

*Acting Members present:* Pierre Brien for Stéphane Bergeron.

*In attendance: From the Library of Parliament:* Dan Shaw, Lalita Acharya and James McQueen, Research Officers.

*Witnesses: From the Department of Industry:* Renée St-Jacques, Chief Economist and Director General, Micro-Economic Policy Analysis Branch; Someshwar Rao, Director, Micro-Economic Analysis Directorate. *From Statistics Canada:* John R. Baldwin, Director, Micro Economic Studies and Analysis; Tarek Harchaoui, Chief, Multifactor Productivity Measures, Micro-Economic Studies and Analysis.

Pursuant to Standing Order 108(2), the Committee commenced its consideration of the subject of Innovation, Productivity and Growth.

Renée St-Jacques and John Baldwin each made an opening statement and, with the other witnesses, answered questions.

At 10:40 a.m., the Committee proceeded to sit *in camera*.

Pursuant to Standing Order 108(2), the Committee resumed its consideration of its study on the Three Federal Granting Agencies, Peer Review Funding, and the Canada Research Chairs Program (*See Minutes of Proceedings, Tuesday, October 16, 2001, Meeting No. 39*).

It was agreed, -- That the Draft Report (as amended) be concurred in.

Ordered, -- That the Chair present the Tenth Report (as amended) to the House at the earliest possible opportunity.

It was agreed, -- That pursuant to Standing Order 109, the Committee request that the Government table a comprehensive response to this report within one hundred fifty (150) days.

It was agreed, -- That the Chair be authorized to make such typographical and editorial changes as may be necessary without changing the substance of the Draft Report to the House.

It was agreed, -- That 550 copies of the Report be printed in a tumble format.

At 11:00 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee

HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 91**

**Wednesday, June 12, 2002**

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**ORDER OF THE DAY:**

Study of Small and Medium-Sized Enterprise Financing Data: Industry Canada Report

**WITNESSES:**

*Industry Canada:*

Robert Dunlop, Director General, Small Business Policy Branch;

Peter Webber, Manager, Small Business Financing Policy.







## MINUTES OF PROCEEDINGS

Meeting No. 91

Wednesday, June 12, 2002

The Standing Committee on Industry, Science and Technology met at 3:30 p.m. this day, in Room 269, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Brian Fitzpatrick, Cheryl Gallant, Walt Lastewka, Serge Marcil, Dan McTeague, James Rajotte, Andy Savoy and Brent St. Denis.

*In attendance: From the Library of Parliament:* Dan Shaw, Lalita Acharya and James McQueen, Research Officers.

*Witnesses: From the Department of Industry:* Robert Dunlop, Director General, Small Business Policy Branch; Peter Webber, Manager, Small Business Financing Policy.

Pursuant to Standing Order 108(2), the Committee resumed consideration of its study of Small and Medium-Sized Enterprise Financing Data: Industry Canada Report (*See Minutes of Proceedings, Thursday, March 1, 2001, Meeting No. 2*).

Robert Dunlop made an opening statement and, with the other witnesses, answered questions.

At 5:25 p.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 92**

**Thursday, June 13, 2002**

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**ORDER OF THE DAY:**

Consideration of the guidelines for ministers involved in organizing leadership campaigns as well as any other matters concerning the mandate of the Ethics Counsellor

**WITNESS:**

*Office of the Ethics Counsellor:*

Howard R. Wilson, Ethics Counsellor.





## MINUTES OF PROCEEDINGS

Meeting No. 92

Thursday, June 13, 2002

The Standing Committee on Industry, Science and Technology met in a televised session at 9:00 a.m. this day, in Room 253-D, Centre Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Stéphane Bergeron, Scott Brison, Cheryl Gallant, Walt Lastewka, Serge Marcil, Joe McGuire, Dan McTeague, James Rajotte, Andy Savoy, Brent St. Denis and Paddy Torsney.

*Acting Members present:* Yvon Godin for Brian Masse and Grant Hill for Brian Fitzpatrick.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley, Research Officer.

*Witness: From the Office of the Ethics Counsellor:* Howard R. Wilson, Ethics Counsellor.

Pursuant to Standing Order 108(2), the Committee proceeded to consideration the guidelines for Ministers involved in organizing leadership campaigns, as well as any other matters concerning the mandate of the Ethics Counsellor.

Howard Wilson made an opening statement and answered questions.

At 11:00 a.m., the Committee adjourned to the call of the Chair.

Normand Radford  
Clerk of the Committee



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HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 1**

**Wednesday, November 6, 2002**

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**ORDER OF THE DAY:**

Election of the Chair and the Vice-Chairs







## MINUTES OF PROCEEDINGS

Meeting No. 1

Wednesday, November 6, 2002

The Standing Committee on Industry, Science and Technology met at 3:31 p.m. this day, in Room 308, West Block, for the purpose of electing a Chair, pursuant to Standing Order 106(1).

*Members of the Committee present:* Larry Bagnell, Paul Crête, Brian Fitzpatrick, Cheryl Gallant, Jocelyne Girard-Bujold, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, James Rajotte, Andy Savoy, Brent St. Denis and Joseph Volpe.

*Acting Members present:* Paul Steckle for Nick Discepolo, Karen Redman for Paddy Torsney and Rex Barnes for André Bachand.

*In attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw, Research Officer.

*Also in attendance: From Committees Directorate:* Jean-Michel Roy, Clerk.

Pursuant to Standing Order 106 (1) and (2), Election of a Chair and Vice-Chairs.

The Clerk presided over the election of the Chair.

Brent St-Denis moved, -- That Walt Lastewka be elected as Chair of the Committee.

The question being put on the motion, it was agreed to.

The Clerk presided over the election of the Vice-Chairs.

Joseph Volpe moved, -- That Dan McTeague be elected as Government Vice-Chair of the Committee.

Serge Marcil moved, -- That Brent St-Denis be elected as Government Vice-Chair of the Committee.

Pursuant to Standing Order 106 (3), the election was conducted by secret ballot.

The ballots having been counted, Dan McTeague was elected Government Vice-Chair.

Jocelyne Girard-Bujold moved, -- That Paul Crête be elected as Opposition Vice-Chair.

Brian Fitzpatrick moved, -- That James Rajotte be elected as Opposition Vice-Chair.

Pursuant to Standing Order 106 (3), the election was conducted by secret ballot.

The ballots having been counted, James Rajotte was elected Opposition Vice-Chair.

Walt Lastewka took the Chair.



On motion of Joseph Volpe, it was agreed, -- That the Sub-Committee on Agenda and Procedure be composed of the Chair, the Vice-chairs, the Parliamentary Secretary to the Minister of Industry, one Canadian Alliance Member, one Bloc Québécois Member, one New Democratic Party Member, one Progressive Conservative Party Member, and two (2) additional Liberal Party Members.

On motion of Brent St-Denis, it was agreed, -- That the Committee retain the services of one or more research officers from the Library of Parliament, as needed, to assist the Committee in its work, at the discretion of the Chair.

On motion of Andy Savoy, it was agreed, -- That the Chair be authorized to hold meetings to receive and publish evidence when a quorum is not present provided that at least four (4) members and the Chair are present, including the Chair and a member of the Opposition.

On motion of Cheryl Gallant, it was agreed, -- That no more than ten (10) minutes be allocated to the Minister's presentation when his appearance will not exceed sixty (60) minutes.

On motion of Joseph Volpe, it was agreed, -- That witnesses be given ten (10) minutes for their opening statement and that during the questioning of witnesses, there be allocated five (5) minutes for the first questioner of each party alternating between opposition and government parties, at the discretion of the Chair.

On motion of Dan McTeague, it was agreed, -- That, if requested, reasonable travel, accommodation and living expenses be reimbursed to witnesses not exceeding two (2) representatives per organization.

On motion of Serge Marcil, it was agreed, -- That when instructed by the Chair, the Clerk of the Committee be authorized to make the necessary arrangements to provide for working meals for the Committee and its Sub-Committees.

On motion of Larry Bagnell, it was agreed, -- That, unless there is unanimous consent, forty eight (48) hours notice be given to the Members of the Committee before any new item of business be considered by the Committee.

On motion of Andy Savoy, it was agreed, -- That, each Committee member be allowed to have a staff person present during, in camera meetings unless the Committee decides otherwise.

On motion of Rex Barnes, it was agreed, -- That, in camera meetings be transcribed, that the transcriptions be kept by the clerk of the Committee.

On motion of Dan McTeague, it was agreed, -- That, the Clerk of the Committee be authorized to distribute to the members of the Committee documents only when they exist in both official languages.

The Committee proceeded to consider its future business.

On motion of Brent St-Denis, it was agreed, -- That the Committee delegate three (3) researchers to the National Summit on Innovation and Learning, being held in Toronto on November 18 and 19, 2002.

At 4:27 p.m., the sitting was suspended.

At 4:34 p.m., the sitting resumed *in camera*. The Committee considers its future business.

It was agreed, -- That the researchers prepare a legislative summary of Bill C-249, *An Act to amend the Competition Act*.

It was agreed, -- That the Clerk of the Committee organize working sessions on Bill C-15, *An Act to amend the*

*Lobbyists Registration Act.*

It was agreed, -- That the Sub-committee on Agenda and Procedure meet on Thursday, November 21, 2002, at 9:30 a.m.

At 5:00 p.m., the meeting adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 2**

**Wednesday, November 20, 2002**

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**IN CAMERA**





## MINUTES OF PROCEEDINGS

Meeting No. 2

Wednesday, November 20, 2002

The Standing Committee on Industry, Science and Technology met *in camera* at 3:45 p.m. this day, in Room 209, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Cheryl Gallant, Jocelyne Girard-Bujold, Walt Lastewka, Dan McTeague and James Rajotte.

*In attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw, Research Officers.

The Committee proceeded to consider its future business.

At 4:29 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 3**

**Thursday, November 21, 2002**

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**ORDER OF THE DAY:**

Study of Bill C-15, An Act to amend the Lobbyists Registration Act

**WITNESSES:**

*ARC Publications:*

John Chenier, Editor and Publisher.

*Government Ethics Coalition:*

Duff Conacher, Coordinator.

*Grainger and Associates:*

Brian Grainger.





## MINUTES OF PROCEEDINGS

Meeting No. 3

Thursday, November 21, 2002

The Standing Committee on Industry, Science and Technology met at 3:37 p.m. this day, in Room 536, Wellington Building, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Brian Fitzpatrick, Cheryl Gallant, Walt Lastewka, Brian Masse, Dan McTeague and James Rajotte.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From ARC Publications:* John Chenier, Editor and Publisher. *From Grainger and Associates:* Brian Grainger. *From the Government Ethics Coalition:* Duff Conacher, Coordinator.

The Order of Reference dated Friday, October 25, 2002, being now read as follows:

ORDERED, -- That Bill C-15, *An Act to amend the Lobbyists Registration Act* be now read a second time and referred to the Standing Committee on Industry, Science and Technology.

Pursuant to its Order of Reference of Friday, October 25, 2002, the Committee proceeded to the study of Bill C-15, *An Act to amend the Lobbyists Registration Act*.

The witnesses made statement and answered questions.

At 5:22 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 4**

**Tuesday, November 26, 2002**

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**IN CAMERA**





## MINUTES OF PROCEEDINGS

Meeting No. 4

Tuesday, November 26, 2002

The Standing Committee on Industry, Science and Technology met *in camera* at 3:37 p.m. this day, in Room 308, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee presents:* Larry Bagnell, Paul Crête, Nick Discepola, Brian Fitzpatrick, Cheryl Gallant, Jocelyne Girard-Bujold, Walt Lastewka, Serge Marcil and Dan McTeague.

*Acting Members presents:* Massimo Pacetti for Brent St. Denis, Marlene Jennings for Paddy Torsney and Mark Eyking for Andy Savoy.

*In attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw, Research Officers.

The Committee proceeded to the consideration of a workplan.

It was agreed, -- That the Committee undertake a study on the economic impact on the "Foreign Investment Restrictions in the Telecommunications Industry".

It was agreed, -- That the Committee undertake a study of Bill C-249, *An Act to amend the Competition Act*.

It was agreed, -- That the Committee undertake a study on Productivity.

At 4:45 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 5**

**Wednesday, November 27, 2002**

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**ORDER OF THE DAY:**

Study of Bill C-15, An Act to amend the Lobbyists Registration Act

**WITNESSES:**

*Industry Canada:*

Pierre Legault, Senior General Counsel, Legal Services;

Howard Wilson, Ethics Counsellor.





Francis

## MINUTES OF PROCEEDINGS

Meeting No. 5

Wednesday, November 27, 2002

The Standing Committee on Industry, Science and Technology met at 3:30 p.m. this day, in Room 269, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Nick Discepola, Jocelyne Girard-Bujold, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, Andy Savoy and Joseph Volpe.

*Acting Member present:* Ken Epp for James Rajotte.

*Other Member present:* John Bryden.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From the Department of Industry:* Howard R. Wilson, Ethics Counsellor; Pierre Legault, Senior General Counsel, Legal Services.

Pursuant to its Order of Reference of Friday, October 25, 2002, the Committee resumed consideration of Bill C-15, *An Act to amend the Lobbyists Registration Act* (See *Minutes of Proceedings, Thursday, November 21, 2002, Meeting No. 3*).

Howard Wilson made an opening statement and, with Pierre Legault, answered questions.

At 5:30 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 6**

**Thursday, November 28, 2002**

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**ORDER OF THE DAY:**

Study of Bill C-15, An Act to amend the Lobbyists Registration Act

**WITNESSES:**

*Government Relations Institute of Canada:*

Carole Presseault, President;

John Scott, Representative.







## MINUTES OF PROCEEDINGS

Meeting No. 6

Thursday, November 28, 2002

The Standing Committee on Industry, Science and Technology met at 3:19 p.m. this day, in Room 308, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* André Bachand, Larry Bagnell, Paul Crête, Nick Discepola, Brian Fitzpatrick, Cheryl Gallant, Jocelyne Girard-Bujold, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, James Rajotte, Andy Savoy, Brent St. Denis, Paddy Torsney, Joseph Volpe.

*Acting Members present:* Christiane Gagnon for Paul Crête and Carolyn Parrish for Nick Discepola.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From the Government Relations Institute of Canada:* Carole Presseault, President; John Scott, Representative.

Pursuant to its Order of Reference of Friday, October 25, 2002, the Committee resumed consideration of Bill C-15, *An Act to amend the Lobbyists Registration Act* (See *Minutes of Proceedings, Thursday, November 21, 2002, Meeting No. 3*).

Carole Presseault made an opening statement and, with John Scott, answered questions.

At 5:00 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 7**

**Tuesday, December 3, 2002**

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**ORDERS OF THE DAY:**

Study of Bill C-15, An Act to amend the Lobbyists Registration Act

Future business

**WITNESSES:**

*Department of Industry:*

Bruce Bergen, Legal Counsel;

Gaëtan Champagne, Lobbyist Registration Adviser.





Français

## MINUTES OF PROCEEDINGS

Meeting No. 7

Tuesday, December 3, 2002

The Standing Committee on Industry, Science and Technology met at 3:30 p.m. this day, in Room 269, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* André Bachand, Larry Bagnell, Paul Crête, Nick Discepola, Brian Fitzpatrick, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, James Rajotte, Andy Savoy, Brent St. Denis, Paddy Torsney and Joseph Volpe.

*Acting Members present:* Rose-Marie Ur for Paddy Torsney and Gérard Asselin for Jocelyne Girard-Bujold.

*Other Member present:* Janko Perić.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From the Department of Industry:* Bruce Bergen, Legal Counsel; Gaëtan Champagne, Lobbyist Registration Advisor.

Pursuant to its Order of Reference of Friday, October 25, 2002, the Committee resumed consideration of Bill C-15, *An Act to amend the Lobbyists Registration Act* (See *Minutes of Proceedings, Thursday, November 21, 2002, Meeting No. 3*).

The Committee proceeded to Clause-by-Clause consideration of the Bill.

Bruce Bergen made an opening statement.

Clause 1 carried on division.

Clause 2 carried on division.

Clause 3 carried on division.

Clauses 4 to 7 carried on division.

Clause 8 carried on division.

Clause 9 carried on division:

Clause 10 carried on division.

Clause 11 carried on division.

Clause 12 carried on division.

Clause 13 carried on division.

Clause 14 carried on division.

Clause 15 carried on division.

Clause 16 carried on division.

Clause 17 carried on division.

Clause 18 carried on division.

The Title carried on division.

The Bill, carried on division.

ORDERED, -- That the Chair report Bill C-15, *An Act to amend the Lobbyists Registration Act* without amendments to the House as the First Report of the Committee.

At 3:40 p.m., the sitting was suspended.

At 3:42 p.m., the sitting resumed *in camera*.

The Committee proceeded to its future business.

At 4:25 p.m., the sitting was suspended.

At 4:26 p.m., the Committee proceeded to sit in public.

Dan McTeague moved, -- That the House of Commons Standing Committee on Industry, Science and Technology review at its earliest opportunity the pharmaceutical industry practices related to patent protection, specifically, the practices of 'evergreening' and the notice of compliance regulations. This review should ensure that there is an appropriate balance between the protection of intellectual property and the need to contain costs and provide Canadians with improved access to non-patented prescription drugs.

And debate arose.

James Rajotte moved the following amendment, -- That the motion be amended by deleting everything after "opportunity" and by adding " a study on the automatic injunction notice of the Patented Medicines (notice of compliance) Regulations under the *Patent Act*".

And debate arose.

Nick Discepola moved the following sub-amendment, -- That the following be added "within the context of the work plan already adopted by the Committee on November 27, 2002, and in view of the productivity study that is to begin March 17, 2003".

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

**YEAS: (6)**

Nick Discepola

André Bachand

Gérard Asselin

Paul Crête

Serge Marcil

Paddy Torsney

**NAYS: (8)**

James Rajotte

Brian Fitzpatrick

Larry Bagnell

Brent St. Denis

Andy Savoy

Joseph Volpe

Brian Masse

Dan McTeague

After debate, the question being put on the amendment, it was carried on the following recorded division.

**YEAS: (8)**

James Rajotte

Brian Fitzpatrick

Brian Masse

Dan McTeague

Joseph Volpe



Larry Bagnell

Andy Savoy

Brent St. Denis

**NAYS: (6)**

Paul Crête

Gérard Asselin

André Bachand

Nick Discepola

Paddy Torsney

Serge Marcil

The question being put on the main motion, as amended, carried on the following recorded division.

**YEAS: (8)**

James Rajotte

Brian Fitzpatrick

Brian Masse

Dan McTeague

Joseph Volpe

Larry Bagnell

Andy Savoy

Brent St. Denis

**NAYS: (6)**

Paul Crête

Gérard Asselin

André Bachand

Nick Discepola

Paddy Torsney

Serge Marcil

By unanimous consent, it was agreed, -- That the proposed budget in the amount of \$60,000 for the period of January 28, 2003 to March 21, 2003 be adopted and that the Chair present the said budget to the Budget sub committee of the Liaison Committee.

By unanimous consent, it was agreed, -- That the proposed budget in the amount of \$10,500 for the period of December 4, 2002 to December 13, 2002 be adopted and that the Chair present the said budget to the Budget sub committee of the Liaison Committee.

At 5:25 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

---

**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 8**

**Wednesday, December 4, 2002**

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**ORDER OF THE DAY:**

Briefing on the potential economic impact on Canadian industry on implementing the Kyoto Protocol

**WITNESSES:**

*Department of Finance Canada:*

Jeremy Rudin, General Director, Economic and Fiscal Policy Branch.

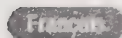
*Pembina Institute:*

Matthew Bramley, Director, Climate Change.

*Simon Fraser University:*

Mark Jaccard, Director, Energy and Materials Research Group.





## MINUTES OF PROCEEDINGS

Meeting No. 8

Wednesday, December 4, 2002

The Standing Committee on Industry, Science and Technology met at 3:33 p.m. this day, in Room 362, East Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Paul Crête, Nick Discepola, Brian Fitzpatrick, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, James Rajotte, Brent St. Denis and Joseph Volpe.

*In attendance: From the Library of Parliament:* Lalita Acharya and Dan Shaw, Research Officers.

*Witnesses: From the Pembina Institute:* Matthew Bramley, Director, Climate Change. *From the Simon Fraser University:* Marc Jaccard, Director, Energy and Materials Research Group. *From the Department of Finance:* Jeremy Rudin, General Director, Economic and Fiscal Policy Branch.

Pursuant to Standing Order 108(2), Briefing on the Potential Economic Impact on Canadian Industry of Implementing the Kyoto Protocol.

The witnesses made statements and answered questions.

At 5:35 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

---

**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 9**

**Thursday, December 5, 2002**

---

**ORDER OF THE DAY:**

Briefing on the potential economic impact on Canadian industry on implementing the Kyoto Protocol

**WITNESSES:**

*Canadian Council of Chief Executives:*

John Dillon, Vice-President, Policy and Legal Counsel.

*Canadian Labour Congress:*

David Bennett, National Director, Health, Safety and Environment.

*Canadian Manufacturers and Exporters:*

Jayson Myers, Chief Economist.





Français

## MINUTES OF PROCEEDINGS

Meeting No. 9

Thursday, December 5, 2002

The Standing Committee on Industry, Science and Technology met at 3:20 p.m. this day, in Room 269, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Nick Discepola, Brian Fitzpatrick, Walt Lastewka, Serge Marcil, Dan McTeague, James Rajotte, Andy Savoy, Brent St. Denis and Joseph Volpe.

*Acting Member present:* Dick Proctor for Brian Masse.

*In attendance: From the Library of Parliament:* Lalita Acharya and Dan Shaw, Research Officers.

*Witnesses: From the Canadian Council of Chief Executives:* John R. Dillon, Vice-President, Policy and Legal Counsel. *From the Canadian Manufacturers and Exporters:* Jayson Myers, Chief Economist. *From the Canadian Labour Congress:* David Bennett, National Director, Health, Safety and Environment.

Pursuant to Standing Order 108(2), Briefing on the Potential Economic Impact on Canadian Industry of Implementing the Kyoto Protocol.

The witnesses made opening statement and answered questions.

At 5:23 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

---

**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 10**

**Tuesday, December 10, 2002**

---

**ORDER OF THE DAY:**

Briefing on the potential economic impact on Canadian industry on implementing the Kyoto Protocol

**WITNESSES:**

*Canadian Chemical Producers' Association:*

Richard Paton, President and Chief Executive Officer.

*Canadian Environment Industry Association:*

Colin Isaacs, Chair of the Board of Directors.

*Canadian Hydropower Association:*

Pierre Fortin, Executive Director.

*Canadian Renewable Fuels Association:*

Bliss Baker, President;

Jeff Passmore Director; Executive Vice-President, Iogen Corporation.





## MINUTES OF PROCEEDINGS

Meeting No. 10

Tuesday, December 10, 2002

The Standing Committee on Industry, Science and Technology met at 4:00 p.m. this day, in Room 371, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Nick Discepola, Brian Fitzpatrick, Cheryl Gallant, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, James Rajotte, Andy Savoy and Brent St. Denis.

*In attendance: From the Library of Parliament:* Lalita Acharya and Dan Shaw, Research Officers.

*Witnesses: From the Canadian Environment Industry Association:* Colin Isaacs, Chair of the Board of Directors, President of Contemporary Information Analysis Limited. *From the Canadian Chemical Producers' Association:* Richard Paton, President & CEO. *From the Canadian Renewable Fuels Association:* Bliss Baker, President; Jeff Passmore, Executive Vice-President, IOGEN Corporation. *From the Canadian Hydropower Association:* Pierre Fortin, Executive Director.

Pursuant to Standing Order 108(2), Briefing on the Potential Economic Impact on Canadian Industry of Implementing the Kyoto Protocol.

The witnesses made statements and answered questions.

At 5:30 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 11**

**Wednesday, December 11, 2002**

---

**ORDER OF THE DAY:**

Briefing on the potential economic impact on Canadian industry on implementing the Kyoto Protocol

**WITNESSES:**

*Canadian Association of Petroleum Producers:*

Rick Hyndman, Senior Policy Advisor, Climate Change.

*Canadian Electricity Association:*

Michael Cleland, Senior Vice-President, Government Relations.

*Canadian Vehicle Manufacturers' Association:*

Jonathan Hodges, Director, Automotive Affairs;

Mark Nantais, President.

*Mining Association of Canada:*

Dan Paszkowski, Vice-President, Economic Affairs;

Gordon Peeling, President and Chief Executive Officer.





## MINUTES OF PROCEEDINGS

Meeting No. 11

Wednesday, December 11, 2002

The Standing Committee on Industry, Science and Technology met at 3:20 p.m. this day, in Room 269, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Paul Crête, Nick Discepola, Brian Fitzpatrick, Walt Lastewka, Brian Masse, Dan McTeague, James Rajotte and Brent St. Denis.

*In attendance: From the Library of Parliament:* Lalita Acharya and Dan Shaw, Research Officers.

*Witnesses: From the Canadian Association of Petroleum Producers:* Rick Hyndman, Senior Policy Advisor, Climate Change. *From the Canadian Electricity Association:* Michael Cleland, Senior Vice-President, Government Relations. *From the Mining Association of Canada:* Gordon Peeling, President and Chief Executive Officer; Dan Paszkowski, Vice-President, Economic Affairs. *From the Canadian Vehicle Manufacturers' Association:* Mark Nantais, President. *From the Association of International Automobile Manufacturers of Canada:* Jonathan Hodges, Director, Automotive Affairs.

Pursuant to Standing Order 108(2), Briefing on the Potential Economic Impact on Canadian Industry of Implementing the Kyoto Protocol.

Rick Hyndman, Michael Cleland and Gordon Peeling made opening statements and, with Dan Paszkowski and Jonathan Hodges answered questions.

At 5:21 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

---

**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 12**

**Tuesday, January 28, 2003**

---

**ORDER OF THE DAY:**

Study of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers

**WITNESSES:**

*Industry Canada:*

Michael Binder, Assistant Deputy Minister, Spectrum, Information Technologies and  
Telecommunications;

Pierre-Yves Boivin, Economist;

Peter Harder, Deputy Minister;

Larry Shaw, Deputy Director General, Telecommunications Policy Branch.







## MINUTES OF PROCEEDINGS

Meeting No. 12

Tuesday, January 28, 2003

The Standing Committee on Industry, Science and Technology met at 9:35 a.m. this day, in Room 701, La Promenade Building, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Cheryl Gallant, Walt Lastewka, Dan McTeague, James Rajotte, Andy Savoy, Brent St. Denis, Paddy Torsney and Joseph Volpe.

*In attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From the Department of Industry:* Peter Harder, Deputy Minister; Michael Binder, Assistant Deputy Minister, Spectrum, Information Technologies and Telecommunications; Larry Shaw, Deputy Director General, Telecommunications Policy Branch; Pierre-Yves Boivin, Economist.

Pursuant to Standing Order 108(2), the Committee proceeded to the consideration of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers.

Peter Harder and Larry Shaw both made opening statements and, with Pierre-Yves Boivin and Michael Binder answered questions.

At 11:35 a.m., the sitting was suspended.

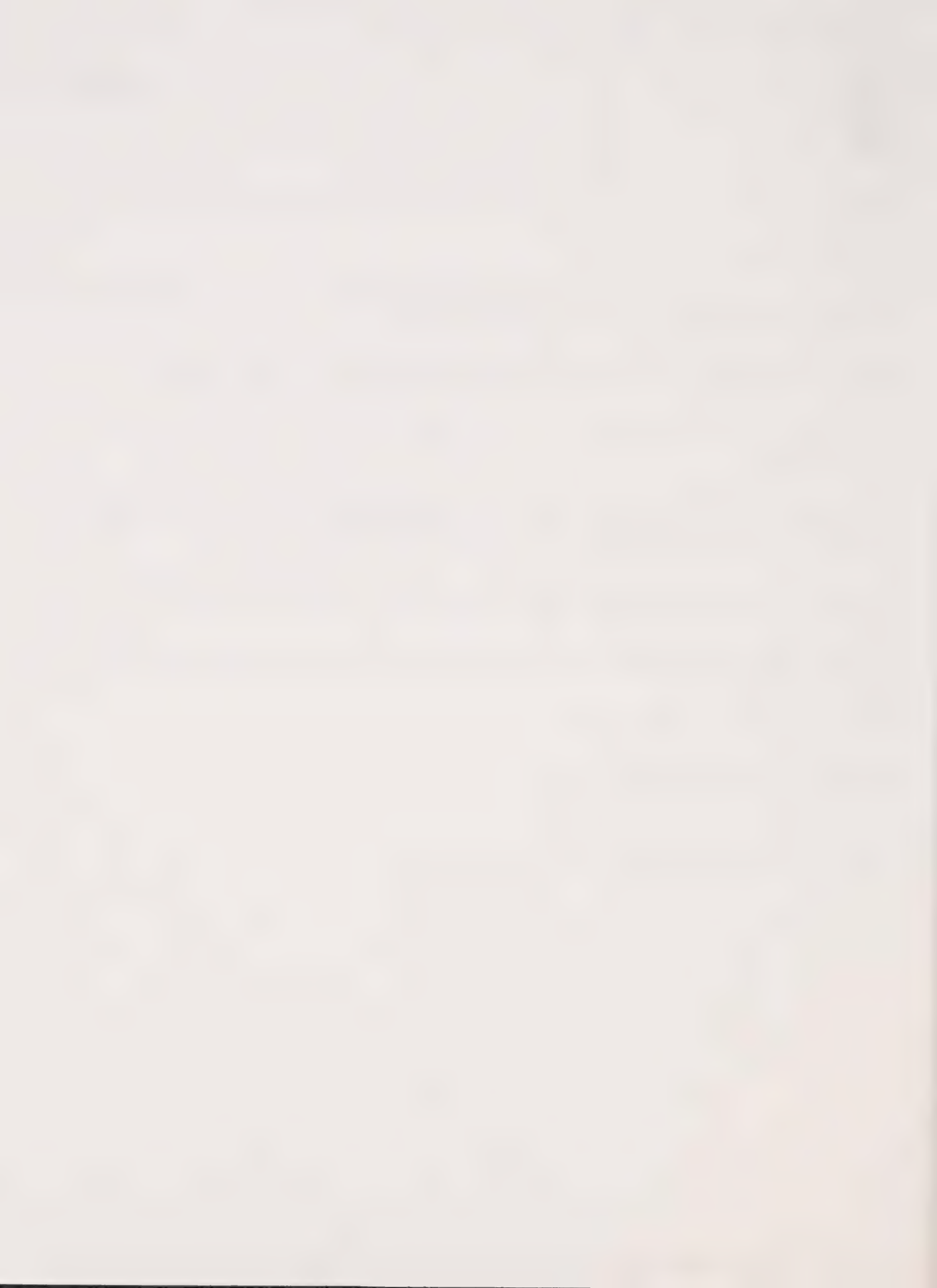
At 11:39 a.m., the sitting resumed *in camera*.

The Committee considered its future business.

At 11:56 a.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

---

**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 13**

**Wednesday, January 29, 2003**

---

**ORDER OF THE DAY:**

Study of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers

**WITNESSES:**

*Ericsson Canada Inc.:*

Lionel Hurtubise, Chairman.

*Microcell Telecommunications Inc.:*

Ed Giacomelli, Managing Director, Rothschild (Toronto);

André Tremblay, President and Chief Executive Officer.

*Rogers AT&T Wireless:*

Francis Fox, President;

Dawn Hunt, Vice-President, Government and Intercarrier Relations.





## MINUTES OF PROCEEDINGS

Meeting No. 13

Wednesday, January 29, 2003

The Standing Committee on Industry, Science and Technology met at 3:31 p.m. this day, in Room 371, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Brian Fitzpatrick, Walt Lastewka, Brian Masse, Dan McTeague, James Rajotte, Andy Savoy, Brent St. Denis and Joseph Volpe.

*In attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey Kieley and Dan Shaw, Research Officers.

*Witnesses: From Rogers AT&T Wireless:* The Hon. Francis Fox, President, Strategic Relations; Dawn Hunt, Vice-President, Government and Intercarrier Relations. *From Microcell Telecommunications Inc.:* André Tremblay, President and Chief Executive Officer; Dean Proctor, Vice-President, Regulatory Affairs, Microcell Telecommunications Inc. and Inukshuk Internet Inc; Ed Giacomelli, Managing Director, Rothschild (Toronto). *From Ericsson Canada Inc.:* Lionel Hurtubise, Chairman; Peter Minaki, Director, Regulatory and Government Relations.

Pursuant to Standing Order 108(2), the Committee resumed consideration of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers.

The Hon. Francis Fox, Lionel Hurtubise and André Tremblay each made an opening statement and, with Dawn Hunt and Ed Giacomelli, answered questions.

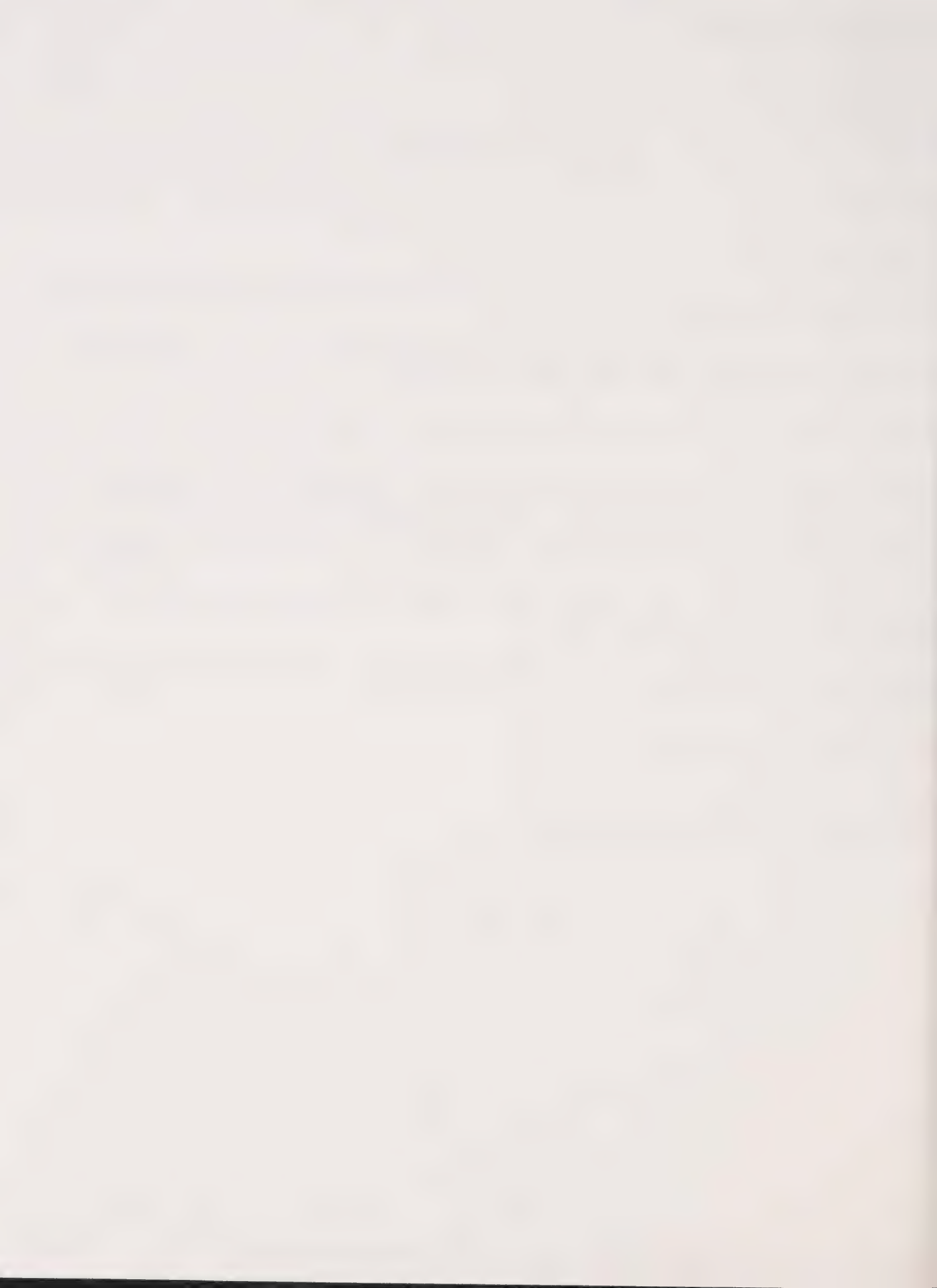
At 4:49 p.m., the sitting was suspended.

At 4:51 p.m., the sitting resumed.

At 5:32 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 14**

**Monday, February 3, 2003**

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**ORDER OF THE DAY:**

Study of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers

**WITNESSES:**

*AT&T Canada:*

John McLennan, Vice-Chairman and Chief Executive Officer.

*CallNet Enterprises Inc.:*

William Linton, President and Chief Executive Officer.

*Upper Canada Networks:*

Vic Allen, Chief Executive Officer.





## MINUTES OF PROCEEDINGS

Meeting No. 14

Monday, February 3, 2003

The Standing Committee on Industry, Science and Technology met at 3:31 p.m. this day, in Room 308, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Brian Fitzpatrick, Walt Lastewka, Brian Masse, Dan McTeague, The Hon. Gilbert Normand, James Rajotte, Brent St. Denis and Paddy Torsney.

*In attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From Upper Canada Networks:* Vic Allen, Chief Executive Officer. *From AT&T Canada:* John McLennan, Vice-Chairman and Chief Executive Officer; Chris Peirce, Vice-President, Regulatory & Government Affairs. *From CallNet Enterprises Inc.:* William Linton, President and Chief Executive Officer; Jean Brazeau, Senior Vice-President, Regulatory Affairs and Strategic Partnerships; Ian Scott, Vice-President, Government Affairs.

Pursuant to Standing Order 108(2), the Committee resumed consideration of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers.

Vic Allen, John McLennan and William Linton each made an opening statement and answered questions.

At 5:30 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 15**

**Tuesday, February 4, 2003**

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**ORDER OF THE DAY:**

Study of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers

**WITNESSES:**

*"Union des consommateurs":*

Jean Sébastien, Telecommunications Policy Analyst.

*XIT Telecom:*

François Ménard, Project Manager, Telecommunications.





## MINUTES OF PROCEEDINGS

Meeting No. 15

Tuesday, February 4, 2003

The Standing Committee on Industry, Science and Technology met at 3:35 p.m. this day, in Room 308, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Brian Fitzpatrick, Cheryl Gallant, Walt Lastewka, Serge Marcil, Dan McTeague, The Hon. Gilbert Normand, Brent St. Denis and Paddy Torsney.

*Acting Member present:* Odina Desrochers for Jocelyne Girard-Bujold.

*In attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From XIT Telecom:* François D. Ménard, Project Manager, Telecommunications. *From the "Union des consommateurs":* Jean Sébastien, Telecommunications Policy Analyst.

Pursuant to Standing Order 108(2), the Committee resumed consideration of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers.

François Ménard and Jean Sébastien each made an opening statement and answered questions.

At 5:34 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 16**

**Wednesday, February 5, 2003**

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**ORDER OF THE DAY:**

Study of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers

**WITNESSES:**

*"Association des Compagnies de Téléphone du Québec inc.":*

Serge Désy, General Manager;

Jean-François Hébert, General Counsel.

*TELUS Corporation:*

James Peters, Executive Vice-President, Corporate Affairs and General Counsel.

*University of Toronto:*

Hudson Janisch, Professor, Faculty of Law.





## MINUTES OF PROCEEDINGS

Meeting No. 16

Wednesday, February 5, 2003

The Standing Committee on Industry, Science and Technology met at 3:29 p.m. this day, in Room 269, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Brian Fitzpatrick, Cheryl Gallant, Walt Lastewka, Serge Marcil, Dan McTeague, The Hon. Gilbert Normand, James Rajotte, Brent St. Denis and Paddy Torsney.

*Attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From the "Association des Compagnies de Téléphone du Québec inc.":* Serge Désy, General Manager; Jean-François Hébert, General Counsel. *From TELUS Corporation:* James W. Peters, Executive Vice-President, Corporate Affairs and General Counsel. *From the University of Toronto:* Prof. Hudson Janisch, Professor, Faculty of Law.

Pursuant to Standing Order 108(2), the Committee resumed consideration of Foreign Investment Restrictions applicable to Telecommunications Common Carriers.

Jean-François Hébert made an opening statement and, with Serge Désy answered questions.

Hudson Janisch made an opening statement and answered questions.

James Peters made an opening statement and answered questions.

At 5:25 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 17**

**Wednesday, February 12, 2003**

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**ORDER OF THE DAY:**

Study of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers

**WITNESSES:**

*Alliance Atlantis Communications Inc.:*

André Bureau, Chairman, Astral;

Michael MacMillan, Chairman and Chief Executive Officer;

Jay Switzer, President and Chief Executive Officer, CHUM Limited;

Phyllis Yaffe, Chief Executive Officer, Broadcasting Group.

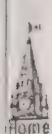
*Canadian Chamber of Commerce:*

Michael Murphy, Senior Vice-President, Policy.

*As Individual:*

David Johnston, President, University of Waterloo.





## MINUTES OF PROCEEDINGS

Meeting No. 17

Wednesday, February 12, 2003

The Standing Committee on Industry, Science and Technology met at 3:30 p.m. this day, in Room 308, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Brian Fitzpatrick, Walt Lastewka, Serge Marcil, Dan McTeague, The Hon. Gilbert Normand, James Rajotte, Andy Savoy, Brent St. Denis and Joseph Volpe.

*In attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From the University of Waterloo:* David Johnston, President. *From the Alliance Atlantis Communications Inc.:* Michael MacMillan, Chairman and Chief Executive Officer; Phyllis Yaffe, Chief Executive Officer, Broadcasting Group; André Bureau, Chairman, Astral; Jay Switzer, President and Chief Executive Officer, CHUM Limited. *From the Canadian Chamber of Commerce:* Michael N. Murphy, Senior Vice-President, Policy; Daniel Roseman, Principal, Roseman Associates.

Pursuant to Standing Order 108(2), the Committee proceeded to the consideration of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers.

David Johnston, Michael Murphy and Phyllis Yaffe each made an opening statement and, with Michael MacMillan, André Bureau and Jay Switzer answered questions.

At 5:28 p.m., the sitting was suspended.

At 5:30 p.m., the sitting resumed.

At 5:31 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Joint Meeting of the Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

and the  
Standing Committee  
on

**CANADIAN HERITAGE**

Chair: Clifford Lincoln, Lib.

**Meeting No. 18**

**Thursday, February 13, 2003**

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**IN CAMERA**





## MINUTES OF PROCEEDINGS

Meeting No. 18

Thursday, February 13, 2003

The Standing Committee on Industry, Science and Technology met in an *in camera* joint session with the Standing Committee on Canadian Heritage at 9:10 a.m. this day, in Room 308, West Block, Walt Lastewka, Chair of the Standing Committee on Industry, Science and Technology and Clifford Lincoln, Chair of the Standing Committee on Canadian Heritage, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Brian Fitzpatrick, Walt Lastewka, Serge Marcil, Dan McTeague, James Rajotte, Andy Savoy, Brent St. Denis and Joseph Volpe.

*Members of the Standing Committee on Canadian Heritage present:* Carole-Marie Allard, Paul Bonwick, Liza Frulla, Loyola Hearn, Clifford Lincoln, Alex Shepherd and Chuck Strahl.

*Acting Member present:* Benoît Sauvageau for Christiane Gagnon.

*In attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw, Sam Banks, Joseph Hackson and Terrence Thomas, Research Officers. *Consultant:* David Black.

Pursuant to Standing Order 108(2), the Committee resumed joint consideration with the Standing Committee on Canadian Heritage of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers.

At 11:00 a.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 19**

**Monday, February 17, 2003**

---

**ORDER OF THE DAY:**

Study of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers

**WITNESSES:**

*Directors Guild of Canada:*

Grant Buchanan, Partner, McCarthy Tétrault LLP.

*Organization for Economic Co-operation and Development:*

Dimitri Ypsilanti, Directorate on Science, Technology and Industry (Paris).





## MINUTES OF PROCEEDINGS

Meeting No. 19

Monday, February 17, 2003

The Standing Committee on Industry, Science and Technology met at 3:30 p.m. this day, in Room 269, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Paul Crête, Brian Fitzpatrick, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, The Hon. Gilbert Normand, James Rajotte and Brent St. Denis.

*Acting Members present:* Greg Thompson for André Bachand, Roger Gaudet for Jocelyne Girard-Bujold.

*In attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From the Organization for Economic Co-operation and Development:* Dimitri Ypsilanti, Directorate on Science, Technology and Industry (Paris). *From the Directors Guild of Canada:* Grant Buchanan, Partner, McCarthy Tétrault LLP.

Pursuant to Standing Order 108(2), the Committee resumed consideration of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers.

The witnesses each made an opening statement and answered questions.

Paul Crête moved, -- That the Standing Committee on Industry, Science and Technology summon representatives of the oil companies and other experts so that it can explore possible causes of the recent increase in the price of gasoline, including collusion among the oil companies, and the significant negative effects that the increase is having on the economy, and can recommend appropriate corrective measures to the federal government.

Brian Fitzpatrick moved, -- That the motion be amended by deleting the words "including collusion among the oil companies".

After debate, the question being put on the amendment, the vote being announced on the following show of hands:

**YEAS:**

4

**NAYS:**

4

The Chair voted in the affirmative.

Accordingly, the amendment was agreed to.

The question being put on the main motion as amended, it was agreed to.

At 5:32 p.m., the Committee adjourned to the call of the Chair.

Diane Deschamps

Committee Clerk

HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 20**

**Tuesday, February 18, 2003**

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**ORDER OF THE DAY:**

Study of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers

**WITNESSES:**

*Bell Canada Enterprises:*

Michael Sabia, President.

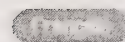
*Dominion Telecom Inc.:*

Anthony H.A. Keenleyside, Barrister, McCarthy Tétrault.

*Friends of Canadian Broadcasting:*

Ian Morrison, Spokesperson.





## MINUTES OF PROCEEDINGS

Meeting No. 20

Tuesday, February 18, 2003

The Standing Committee on Industry, Science and Technology met at 9:06 a.m. this day, in Room 701, La Promenade Building, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, The Hon. Gilbert Normand, James Rajotte, Brent St. Denis and Joseph Volpe.

*In attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From Bell Canada Enterprises:* Michael J. Sabia, President; Bernard A. Courtois, Executive Counsel. *From Dominion Telecom Inc.:* Anthony H.A. Keenleyside, Barrister, McCarthy Tétrault. *From Friends of Canadian Broadcasting:* Ian Morrison, Spokesperson.

Pursuant to Standing Order 108(2), the Committee resumed consideration of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers.

Michael Sabia made an opening statement and answered questions.

At 10:40 a.m., the sitting was suspended.

At 10:47 a.m., the sitting resumed.

Anthony Keenleyside and Ian Morrison each made an opening statement and answered questions.

At 12:00 p.m., the Committee adjourned to the call of the Chair.

Georges Etoke

Committee Clerk





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 21**

**Wednesday, February 19, 2003**

---

**ORDER OF THE DAY:**

Study of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers

**WITNESSES:**

*McGill University:*

Richard Schultz , James McGill Professor, Department of Political Science.

*National Alliance of Communications Unions:*

Ron Carlson, Administrative Vice-President, Communications, Energy and Paperworkers Union of Canada;

Neil Morrison, Vice-President, Telecommunications Workers Union;

Peter Murdock, Vice-President, Media, Communications, Energy and Paperworkers Union of Canada;

Brian Payne, President, Communications, Energy and Paperworkers Union of Canada.



## MINUTES OF PROCEEDINGS

Meeting No. 21

Wednesday, February 19, 2003

The Standing Committee on Industry, Science and Technology met at 3:30 p.m. this day, in Room 209, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Brian Fitzpatrick, Jocelyne Girard-Bujold, Walt Lastewka, Serge Arcil, Brian Masse, Dan McTeague, The Hon. Gilbert Normand, James Rajotte, Brent St. Denis and Joseph Volpe.

*Attending Member present:* Christiane Gagnon for Paul Crête.

*Attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From the National Alliance of Communications Unions:* James Kinkaid, Research Department; Brian Payne, President, Communications, Energy and Paperworkers Union of Canada; Neil Morrison, Vice-President, Telecommunications Workers Union; Ron Carlson, Administrative Vice-President, Communications, Energy and Paperworkers Union of Canada (CEP); Bruce Murdock, Vice-President, Media, Communications, Energy and Paperworkers Union of Canada. *From McGill University:* Prof. Richard J. Schultz, James McGill Professor, Department of Political Science.

Pursuant to Standing Order 108(2), the Committee resumed consideration of Foreign Investment Restrictions applicable to Telecommunications Common Carriers.

Brian Payne and Professor Richard Schultz each made an opening statement and, with the other witnesses, answered questions.

At 5:35 p.m., the Committee adjourned to the call of the Chair.

Diane Deschamps

Committee Clerk



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 22**

**Thursday, February 20, 2003**

---

**ORDER OF THE DAY:**

Study of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers

**WITNESSES:**

*Government of the United Kingdom:*

Claire Durkin, Director of communication networks, broadband and Internet policy,  
Department of Trade and Industry;

David Edmonds, Director General of United Kingdom Telecommunications.







## MINUTES OF PROCEEDINGS

Meeting No. 22

Thursday, February 20, 2003

The Standing Committee on Industry, Science and Technology met at 9:36 a.m. this day, in Room 701, La Promenade Building, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Brian Fitzpatrick, Walt Lastewka, Serge Marcil, James Rajotte and Brent St. Denis.

*Attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From the Government of the United Kingdom:* Claire Durkin, Department of Trade and Industry; David Edmonds, Director of OFTEL; Alan Richmond, Second Secretary (Economic), British High Commission.

Pursuant to Standing Order 108(2), the Committee resumed consideration of Foreign Investment Restrictions applicable to Telecommunications Common Carriers.

David Edmonds made an opening statement and answered questions.

Claire Durkin made an opening statement and answered questions.

At 11:10 a.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 23**

**Monday, February 24, 2003**

---

**ORDER OF THE DAY:**

Study of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers

**WITNESSES:**

*Canadian Radio-television and Telecommunications Commission:*

David Colville, Vice-Chairperson, Telecommunications;

Charles Dalfen, Chairman.

*Department of Industry:*

Gaston Jorré, Senior Deputy Commissioner of Competition, Mergers Branch, Competition Bureau;

Konrad von Finckenstein, Commissioner of Competition, Competition Bureau.



## MINUTES OF PROCEEDINGS

Meeting No. 23

Monday, February 24, 2003

The Standing Committee on Industry, Science and Technology met at 3:18 p.m. this day, in Room 371, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Brian Fitzpatrick, Walt Lastewka, Serge Marcil, Dan Teague, Andy Savoy and Brent St. Denis.

*Other Member present:* Joe Fontana.

*Attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From the Canadian Radio-television and Telecommunications Commission:* Charles Dalfen, Chairman; David Colville, Vice-Chairperson, Telecommunications and Commissioner, Atlantic Region; Allan Rosenzweig, General Counsel, Telecommunications; Shirley Soehn, Executive Director, Telecommunications. *From the Department of Industry:* Konrad von Finckenstein, Commissioner of Competition, Competition Bureau; Gaston Jorré, Acting Commissioner of Competition, Competition Bureau.

Pursuant to Standing Order 108(2), the Committee resumed consideration of Foreign Investment Restrictions applicable to Telecommunications Common Carriers.

Charles Dalfen made an opening statement and, with David Colville answered questions.

At 4:39 p.m., the sitting was suspended.

At 4:44 p.m., the sitting resumed.

Konrad von Finckenstein made an opening statement and, with Gaston Jorré answered questions.

At 5:43 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 24**

**Tuesday, February 25, 2003**

---

**ORDER OF THE DAY:**

Study of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers

**WITNESSES:**

*“Association québécoise de l'industrie du disque, du spectacle et de la vidéo”:*

Francine Bertrand-Venne, General Manager, “Société professionnelle des auteurs et compositeurs du Québec”;

Anne-Marie Des Roches, Public Affairs Director, “Union des artistes”;

Solange Drouin, General Manager and Vice-President to Public Affairs;

Lise Lachapelle, General Manager, “Association des réalisateurs et réalisatrices du Québec”;

Richard Paradis, President, “Association canadienne des distributeurs et exportateurs de films”;

Claire Samson, President and General Manager, “Association des producteurs de films et de télévision du Québec”.

*SaskTel:*

Donald Ching, President and Chief Executive Officer.

*As Individual:*

Gerry Shannon, Consultant in International Trade.

## MINUTES OF PROCEEDINGS

Meeting No. 24

Tuesday, February 25, 2003

The Standing Committee on Industry, Science and Technology met at 3:30 p.m. this day, in Room 269, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Jocelyne Girard-Bujold, Walt Lastewka, Serge Marcil, Dan McTeague, Andy Savoy, Brent St. Denis and Joseph Volpe.

*Attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From the "Association québécoise de l'industrie du disque, du spectacle et de la vidéo":* Anne-Marie Des Roches, Public Affairs Director, "Union des artistes (Uda)"; Lise Lachapelle, General Manager, "Association des réalisateurs et réalisatrices du Québec (ARRQ)"; Francine Bertrand-Venne, General Manager, "Société professionnelle des auteurs et compositeurs du Québec (SPACQ)"; Richard Paradis, "Association canadienne des distributeurs et exportateurs de films (ACDEF)"; Solange Drouin, General Manager and Vice-President to Public Affairs; Claire Samson, President and General Manager, "Association des producteurs de films et de télévision du Québec (APFTQ)". *Individual:* Gerry Shannon, Consultant in International Trade. *From SaskTel:* Donald R. Ching, President and Chief Executive Officer; J.C. (John) Meldrum, Vice-President, Corporate Counsel and Regulatory Affairs.

Pursuant to Standing Order 108(2), the Committee resumed consideration of Foreign Investment Restrictions applicable to Telecommunications Common Carriers.

Solange Drouin made an opening statement and answered questions.

Anne-Marie Des Roches made an opening statement and answered questions.

Claire Samson made an opening statement and answered questions.

Francine Bertrand-Venne made an opening statement and answered questions.

Lise Lachapelle made an opening statement and answered questions.

Richard Paradis made an opening statement and answered questions.

Gerry Shannon made an opening statement and answered questions.

Donald Ching made an opening statement and answered questions.

At 5:31 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé



Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 25**

**Wednesday, February 26 2003**

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**ORDER OF THE DAY:**

Study of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers

**WITNESSES:**

*Canadian Cable Television Association:*

Louis Audet, President and Chief Executive Officer, COGECO Inc.;

Jim Shaw, Chief Executive Officer, Shaw Communications Inc.;

John Tory, President and Chief Executive Officer, Rogers Cable Inc.;

Janet Yale, President and Chief Executive Officer.

*Université du Québec à Montréal:*

Mathieu Arès, Senior Researcher, Latin America, Economic and Security Researcher Group, Raoul Dandurand Chair of Strategic and Diplomatic Studies, "Université du Québec à Montréal";

Michèle Rioux, Professor, Research Director to CEIM, "Département de science politique", "Université du Québec à Montréal".





## MINUTES OF PROCEEDINGS

Meeting No. 25

Wednesday, February 26, 2003

The Standing Committee on Industry, Science and Technology met at 3:30 p.m. this day, in Room 269, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Jocelyne Girard-Bujold, Walt Lastewka, Serge Marcil, Brian Masse, James Rajotte, Andy Savoy and Joseph Volpe.

*In attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From the "Université du Québec à Montréal":* Michèle Rioux, Professor, Research Director to CEIM, "Département de science politique"; Mathieu Arès, "professeur, économie politique internationale, chercheur au Groupe de recherche économique et sécurité de la Chaire Raoul-Dandurand et chercheur au CEIM". *From the Canadian Cable Television Association:* Janet Yale, President and Chief Executive Officer; Louis Audet, President and Chief Executive Officer, COGECO Inc.; Jim Shaw, Chief Executive Officer, Shaw Communications Inc.; John Tory, President and Chief Executive Officer, Rogers Cable Inc.

Pursuant to Standing Order 108(2), the Committee resumed consideration of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers.

Janet Yale made an opening statement and answered questions.

Jim Shaw made an opening statement and answered questions.

Louis Audet made an opening statement and answered questions.

John Tory made an opening statement and answered questions.

Michèle Rioux made an opening statement and, with Mathieu Arès answered questions.

At 5:32 p.m., the Committee adjourned to the call of the Chair:

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 26**

**Thursday, February 27, 2003**

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**ORDER OF THE DAY:**

Study of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers

**WITNESSES:**

*CanWest Global Communications Corp.:*

Leonard Asper, President and Chief Executive Officer;

Geoffrey Elliot, Vice-President, Corporate Affairs.

*As Individual:*

Robert Yates, Lemay-Yates Associates Inc.





Français

## MINUTES OF PROCEEDINGS

Meeting No. 26

Thursday, February 27, 2003

The Standing Committee on Industry, Science and Technology met at 9:07 a.m. this day, in Room 371, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, James Rajotte, Andy Savoy and Joseph Volpe.

*In attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From CanWest Global Communications Corp.:* Leonard Asper, President and Chief Executive Officer; Geoffrey Elliot, Vice-President, Corporate Affairs. *As Individual:* Robert K. Yates, Lemay-Yates Associates Inc.

Pursuant to Standing Order 108(2), the Committee resumed consideration of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers.

Leonard Asper made an opening statement and, with Geoffrey Elliot answered questions.

Robert Yates made an opening statement and answered questions.

At 10:56 a.m. the sitting was suspended.

At 11:05 a.m. the sitting resumed *in camera*.

ORDERED, -- That the Research Officers prepare a draft report on the Foreign Investment Restrictions Applicable to Telecommunications Common Carriers.

At 12:34 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 27**

**Tuesday, March 18, 2003**

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**IN CAMERA**





## MINUTES OF PROCEEDINGS

Meeting No. 27

Tuesday, March 18, 2003

The Standing Committee on Industry, Science and Technology met *in camera* at 3:32 p.m. this day, in Room 536, Wellington Building, the Chair, Walt Lastewka, presiding.

*Member(s) of the Committee present:* Larry Bagnell, Paul Crête, Brian Fitzpatrick, Cheryl Gallant, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, The Hon. Gilbert Normand, James Rajotte, Andy Savoy, Brent St. Denis, Paddy Torsney, Joseph Volpe.

*In attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed consideration of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers.

The Committee proceeded to consider a draft report.

It was agreed, -- That, pursuant to Standing Order 97.1, the Chair present a report to the House requesting an extension of thirty (30) sitting days for the Committee to study Bill C-249 *An Act to Amend the Competition Act*.

At 5:25 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 28**

**Wednesday, March 19, 2003**

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**IN CAMERA**





## MINUTES OF PROCEEDINGS

Meeting No. 28

Wednesday, March 19, 2003

The Standing Committee on Industry, Science and Technology met *in camera* at 3:36 p.m. this day, in Room 308, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Brian Fitzpatrick, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, The Hon. Gilbert Normand, James Rajotte, Andy Savoy, Brent St. Denis and Joseph Volpe.

*In attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw, Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed consideration of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers.

The Committee proceeded to consider a draft report.

At 5:31 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 29**

**Thursday, March 20, 2003**

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**IN CAMERA**





## MINUTES OF PROCEEDINGS

Meeting No. 29

Thursday, March 20, 2003

The Standing Committee on Industry, Science and Technology met *in camera* at 9:38 a.m. this day, in Room 306, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Walt Lastewka, Serge Marcil, Dan McTeague, Andy Savoy, Brent St. Denis, Paddy Torsney and Joseph Volpe.

*Acting Member present:* Raymonde Folco for Gilbert Normand.

*In attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw, Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed consideration of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers.

The Committee proceeded to consider a draft report.

At 10:03 a.m., the sitting was suspended.

At 10:19 a.m., the sitting resumed.

At 10:57 a.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 30**

**Monday, March 24, 2003**

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**IN CAMERA**





## MINUTES OF PROCEEDINGS

Meeting No. 30

Monday, March 24, 2003

The Standing Committee on Industry, Science and Technology met *in camera* at 3:33 p.m. this day, in Room 308, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Paul Crête, Walt Lastewka, Dan McTeague, James Rajotte, Andy Savoy, Brent St. Denis, Paddy Torsney and Joseph Volpe.

*Acting Member present:* Gary Pillitteri for Serge Marcil.

*In attendance: From the Library of Parliament:* Lalita Acharya; Geoffrey P. Kieley; Dan Shaw, Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed consideration of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers.

The Committee resumed consideration of a draft report.

At 5:01 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 31**

**Tuesday, March 25, 2003**

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**IN CAMERA**





## MINUTES OF PROCEEDINGS

Meeting No. 31

Tuesday, March 25, 2003

The Standing Committee on Industry, Science and Technology met *in camera* at 3:53 p.m. this day, in Room 371, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Paul Crête, Brian Fitzpatrick, Walt Lastewka, Serge Marcil, Dan McTeague, Hon. Gilbert Normand, James Rajotte, Andy Savoy, Brent St. Denis, Paddy Torsney and Joseph Volpe.

*In attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw, Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed consideration of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers.

The Committee resumed consideration of a draft report.

At 4:43 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

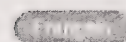
**Meeting No. 32**

**Wednesday, March 26, 2003**

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**IN CAMERA**





## MINUTES OF PROCEEDINGS

Meeting No. 32

Wednesday, March 26, 2003

The Standing Committee on Industry, Science and Technology met *in camera* at 3:30 p.m. this day, in Room 308, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* André Bachand, Larry Bagnell, Paul Crête, Cheryl Gallant, Jocelyne Girard-Bujold, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, Hon. Gilbert Normand, James Rajotte, Andy Savoy, Brent St. Denis and Joseph Volpe.

*Acting Member present:* John O'Reilly for Paddy Torsney.

*In attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw, Research Officers.

The Committee proceeded to consider its future business.

At 4:12 p.m., the sitting was suspended.

At 4:15 p.m., the sitting resumed.

It was agreed, -- That the Committee consider Bill C-249, *An Act to amend the Competition Act* on March 31<sup>st</sup>, April 2<sup>nd</sup>, 7 and 9, 2003.

It was agreed, -- That according to the motion adopted on February 17, 2003, the Committee summon representatives of the oil companies and other experts so that it can explore possible causes of the recent increase in the price of gasoline, and the significant negative effects that the increase is having on the economy, and can recommend appropriate corrective measures to the federal government on May 5<sup>th</sup> and 7, June 2<sup>nd</sup> and 4, 2003.

It was agreed, -- That the Committee resume its study on the Potential Economic Impact on Canadian Industry of Implementing the Kyoto Protocol on April 29 and 30, 2003.

It was agreed, -- That the Committee invites the Minister of Industry and the Secretaries of State on the Main Estimates 2003 – 2004 on May 12, 14, 26 and 28, 2003.

It was agreed, -- That according to the motion adopted on December 3, 2002, the Committee undertake a study on the alleged abuse of the Automatic Injunction Provision within the *Patent Act* on June 9, 11, 16 and 18, 2003.

It was agreed, -- That the proposed budget in the amount of \$10, 214 for the period of January, 28, 2003 to March 21, 2003 be adopted and that the Chair present the said budget to the Subcommittee on Committee Budgets of the Liaison Committee.

At 4:23 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 33**

**Monday, March 31, 2003**

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**ORDER OF THE DAY:**

Consideration of Bill C-249, *An Act to amend the Competition Act*

**WITNESSES:**

*Department of Industry:*

Gaston Jorré, Senior Deputy Commissioner of Competition, Mergers Branch, Competition Bureau;

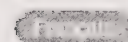
Peter Sagar, Deputy Commissioner of Competition, Competition Policy Branch;

Konrad von Finckenstein, Commissioner of Competition, Competition Bureau.

*House of Commons:*

Dan McTeague, M.P., Pickering—Ajax—Uxbridge, Liberal.





## MINUTES OF PROCEEDINGS

Meeting No. 33

Monday, March 31, 2003

The Standing Committee on Industry, Science and Technology met at 3:30 p.m. this day, in Room 308, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* André Bachand, Larry Bagnell, Brian Fitzpatrick, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, Hon. Gilbert Normand, James Rajotte, Brent St. Denis and Paddy Torsney.

*Acting Members present:* Stéphane Bergeron for Paul Crête, Sébastien Gagnon for Jocelyne Girard-Bujold, Judy Sgro for Brent St. Denis, Lynn Myers for Paddy Torsney, Janko Perić for Joseph Volpe, Marlene Jennings for Gilbert Normand and Judy Sgro for Andy Savoy.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From the House of Commons:* Dan McTeague, Pickering--Ajax--Uxbridge. *From the Department of Industry:* Konrad von Finckenstein, Commissioner of Competition, Competition Bureau; Gaston Jorré, Senior Deputy Commissioner of Competition, Mergers Branch, Competition Bureau; Peter Sagar, Deputy commissioner of Competition, Competition Policy Branch.

Pursuant to its Order of Reference of Thursday, October 24, 2002, the Committee proceeded to the consideration of Bill C-249, *An Act to amend the Competition Act*.

Dan McTeague made an opening statement and answered questions.

At 4:19 p.m., the sitting was suspended.

At 4:20 p.m., the sitting resumed.

Konrad von Finckenstein made an opening statement and, with the other witnesses, answered questions.

Dan McTeague moved the following amendment, -- That, in respecting the intent of the order made by the Committee on December 3, 2002:

“that the House of Commons Standing Committee on Industry, Science and Technology review the automatic injunction notice of compliance Regulations under the Patent Act at its earliest opportunity”,

the Committee commence its consideration immediately after its study of Bill C-249.

And debate arose.

Serge Marcil moved the following amendment, -- That the motion be amended by adding "by inviting the Department of Industry, the Department of Health only and by holding an *in camera* meeting.

After debate, the question being put on the amendment, it was negatived by a show of hands.

YEAS: (6)

NAYS: (8)

After debate, the question being put on the main motion, it was negatived by a show of hands.

YEAS: (7)

NAYS: (8)

At 5:16 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee

HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 34**

**Wednesday, April 2, 2003**

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**ORDER OF THE DAY:**

Consideration of Bill C-249, *An Act to amend the Competition Act*

**WITNESS:**

*As Individual:*

Thomas Ross, Professor, University of British Columbia.





## MINUTES OF PROCEEDINGS

Meeting No. 34

Wednesday, April 2, 2003

The Standing Committee on Industry, Science and Technology met at 3:41 p.m. this day, in Room 308, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Brian Fitzpatrick, Walt Lastewka, Brian Masse, Dan McTeague, Hon. Gilbert Normand, Andy Savoy and Brent St. Denis.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witness: As Individual:* Thomas W. Ross, Professor, University of British Columbia.

Pursuant to its Order of Reference of Thursday, October 24, 2002, the Committee resumed consideration of Bill C-249, *An Act to amend the Competition Act* (See *Minutes of Proceedings, Monday, March 31, 2003, Meeting No. 33*).

Thomas W. Ross made an opening statement and answered questions.

At 4:46 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

---

**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 35**

**Monday, April 7, 2003**

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**ORDER OF THE DAY:**

Consideration of Bill C-249, An Act to amend the Competition Act

**WITNESSES:**

*Canadian Chamber of Commerce:*

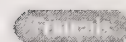
John Clifford, Partner, McMillan Binch;

Kasia Majewski, Policy Analyst.

*As Individual:*

Professor Stephen Ross, Professor of Law, University of Illinois College of Law.





## MINUTES OF PROCEEDINGS

Meeting No. 35

Monday, April 7, 2003

The Standing Committee on Industry, Science and Technology met at 3:34 p.m. this day, in Room 308, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Brian Fitzpatrick, Walt Lastewka, Serge Marcil, Dan McTeague, James Rajotte, Andy Savoy and Brent St. Denis.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: As Individual:* Prof. Stephen F. Ross, Professor of Law, University of Illinois College of Law. *From the Canadian Chamber of Commerce:* Kasia Majewski, Policy Analyst; John Clifford, Partner, McMillan Binch.

Pursuant to its Order of Reference of Thursday, October 24, 2002, the Committee resumed consideration of Bill C-249, *An Act to amend the Competition Act* (See *Minutes of Proceedings, Monday, March 31, 2003, Meeting No. 33*).

Stephen Ross made an opening statement and answered questions.

Kasia Majewski and John Clifford each made an opening statement and answered questions.

At 5:34 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 36**

**Tuesday, April 8, 2003**

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**IN CAMERA**





## MINUTES OF PROCEEDINGS

Meeting No. 36

Tuesday, April 8, 2003

The Standing Committee on Industry, Science and Technology met *in camera* at 4:20 p.m. this day, in Room 536, Wellington Building, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, Hon. Gilbert Normand, James Rajotte and Brent St. Denis.

*In attendance: From the Library of Parliament:* Lalita Acharya, Geoffrey P. Kieley and Dan Shaw, Research Officers.

Pursuant to Standing Order 108(2), the Committee resumed consideration of Foreign Investment Restrictions Applicable to Telecommunications Common Carriers.

It was agreed, -- That the Draft Report (as amended) be concurred in.

Ordered, -- That the Chair present the Third Report (as amended) to the House at the earliest possible opportunity.

It was agreed, -- That pursuant to Standing Order 109, the Committee request that the Government table a comprehensive response to this report within one hundred fifty (150) days.

It was agreed, -- That the Chair be authorized to make such typographical and editorial changes as may be necessary without changing the substance of the Draft Report to the House.

It was agreed, -- That 1000 copies of the Report be printed in both English and French in tumble format.

It was agreed, -- That a News Release be issued.

It was agreed, -- That a Press Conference be held on Monday, April 28, 2003, at 3:30 p.m. following the tabling of the Report.

It was agreed, -- That the Committee authorize the printing of dissenting and/or supplementary opinions as an appendix to this report, immediately following the signature of the Chair.

It was agreed, -- That any dissenting and/or supplementary opinions be limited to not more than three (3) pages.

It was agreed, -- That any dissenting and/or supplementary opinions be received by the Clerk no later than Friday, April 11, 2003 at 12:00 p.m.

It was agreed, -- That the proposed budget in the amount of \$12,000 be adopted and that the Chair

present the said budget to the Subcommittee on Committee Budgets of the Liaison Committee.

At 5:38 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

---

**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 37**

**Wednesday, April 9, 2003**

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**ORDER OF THE DAY:**

Consideration of Bill C-249, An Act to amend the Competition Act

**WITNESSES:**

*Canadian Bar Association:*

Tim Kennish, Past Chair, National Competition Law Section;

Tamra Thomson, Director, Legislation and Law Reform.

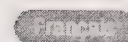
*As Individuals:*

Robert Russell, Lawyer, Borden Ladner Gervais;

Roger Ware, Professor, Queen's University.







## MINUTES OF PROCEEDINGS

Meeting No. 37

Wednesday, April 9, 2003

The Standing Committee on Industry, Science and Technology met at 3:31 p.m. this day, in Room 701, La Promenade Building, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Brian Fitzpatrick, Walt Lastewka, Brian Masse, Dan McTeague, Hon. Gilbert Normand, James Rajotte, Andy Savoy and Brent St. Denis.

*Acting Member present:* Michel Guimond for Paul Crête.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From the Canadian Bar Association:* Tim J. Kennish, Past Chair, National Competition Law Section; Tamra L. Thomson, Director, Legislation and Law Reform. *From the As Individual:* Robert S. Russell, Lawyer, Borden Ladner Gervais; Roger Ware, Professor, Queen's University.

Pursuant to its Order of Reference of Thursday, October 24, 2002, the Committee resumed consideration of Bill C-249, *An Act to amend the Competition Act* (See *Minutes of Proceedings, Monday, March 31, 2003, Meeting No. 33*).

Tamra Thomson and Tim Kennish each made an opening statement and answered questions.

Robert Russell made an opening statement and answered questions.

Roger Ware made an opening statement and answered questions.

At 5:11 p.m., the sitting was suspended.

At 5:12 p.m., the sitting resumed.

The Committee proceeded *in camera* to consider its future business.

It was agreed, -- That the Committee resume its study of Bill C-249, *An Act to amend the Competition Act* on April 28, 2003.

It was agreed, -- That according to the motion adopted on February 17, 2003, the Committee summon representatives of the oil companies and other experts so that it can explore possible causes of the recent increase in the price of gasoline, and the significant negative effects that the increase is having on the economy, and can recommend appropriate corrective measures to the federal government on May 6<sup>th</sup>, 7, 12 and 13, 2003.

It was agreed, -- That the Committee resume its study on the Potential Economic Impact on Canadian

Industry of Implementing the Kyoto Protocol on April 29 and 30, 2003.

It was agreed, -- That the Committee invites the Minister of Industry and the Secretaries of State on the Main Estimates 2003 – 2004 on May 5<sup>th</sup>, 8, 14, 26 and 28, 2003.

It was agreed, -- That according to the motion adopted on December 3, 2002, the Committee undertake a study on the alleged abuse of the Automatic Injunction Provision within the *Patent Act* on June 2, 3 and 4, 2003.

It was agreed, -- That the Committee meet *in camera* on June 9 and 11, 2003.

It was agreed, -- That the proposed budget in the amount of \$12,000 be adopted and that the Chair present the said budget to the Subcommittee on Committee Budgets of the Liaison Committee.

At 5:29 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee

HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 38**

**Monday, April 28, 2003**

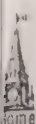
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**ORDER OF THE DAY:**

Consideration of Bill C-249, An Act to amend the Competition Act







## MINUTES OF PROCEEDINGS

Meeting No. 38

Monday, April 28, 2003

The Standing Committee on Industry, Science and Technology met at 4:35 p.m. this day, in Room 269, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee presents:* Larry Bagnell, Paul Crête, Brian Fitzpatrick, Walt Lastewka, Brian Masse, Dan McTeague, James Rajotte, Brent St. Denis, Paddy Torsney and Joseph Volpe.

*Acting Members presents:* Rose Marie Ur for Gilbert Normand and Janko Peric for Serge Marcl.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

*From Committee's Directorate:* Susan Baldwin, Legislative Clerk.

Pursuant to its Order of Reference of Thursday, October 24, 2002, the Committee resumed consideration of Bill C-249, an Act to amend the Competition Act (*See Minutes of Proceedings, Monday, March 31, 2003, Meeting No. 33*).

The Committee proceeded to Clause-by-Clause consideration of the Bill.

On Clause 1,

Dan McTeague moved, -- That Bill C-249, in Clause 1, be amended by replacing lines 4 to 19 on page 1 with the following:

"1. Subsection 96(1) of the *Competition Act* is replaced by the following:

96. (1) In determining, for the purposes of section 92, whether or not a merger or proposed merger prevents or lessens, or is likely to prevent or lessen, competition substantially, the Tribunal may, together with the factors that may be considered by the Tribunal under section 93, have regard to whether the merger or proposed merger has brought about or is likely to bring about gains in efficiency that will provide benefits to consumers, including competitive prices or product choices, and that would not likely be attained in the absence of the merger or proposed merger."

After debate, the question being put on the amendment, it was adopted by a show of hands.

YEAS: (8)

NAYS: (3)

After debate, Clause 1, as amended, carried by a show of hands.

The Title carried on division.

The Bill, as amended, carried on division.

ORDERED, -- That Bill C-249, *An Act to amend the Competition Act*, as amended, be reprinted for the use of the House of Commons at Report Stage.

ORDERED, -- That the Chair report Bill C-249 with amendments to the House as the Fourth Report of the Committee.

At 4:53 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

---

**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 39**

**Tuesday, April 29, 2003**

---

**ORDER OF THE DAY:**

Consideration of the Potential Economic Impact on Canadian Industry of Implementing the Kyoto Protocol

**WITNESSES:**

*Department of Natural Resources:*

Howard Brown, Assistant Deputy Minister, Large Industrial Emitters Group;

Neil MacLeod, Director General, Office of Energy Efficiency, Energy Sector;

David Oulton, Head, Climate Change Secretariat.





## MINUTES OF PROCEEDINGS

Meeting No. 39

Tuesday, April 29, 2003

The Standing Committee on Industry, Science and Technology met at 3:31 p.m. this day, in Room 308, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, Hon. Gilbert Normand, James Rajotte and Brent St. Denis.

*Acting Members presents:* Bob Mills for Cheryl Gallant and Bernard Bigras for Paul Crête.

*In attendance: From the Library of Parliament:* Lalita Acharya and Dan Shaw, Research Officers.

*Witnesses: From the Department of Natural Resources:* Howard Brown, Assistant Deputy Minister, Large Industrial Emitters Group; David Oulton, Head, Climate Change Secretariat; Neil MacLeod, Director General, Office of Energy Efficiency.

Pursuant to Standing Order 108(2), the Committee resumed consideration of the Potential Economic Impact on Canadian Industry of Implementing the Kyoto Protocol.

Howard Brown made an opening statement and, with David Oulton and Neil MacLeod, answered questions.

At 5:24 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 40**

**Monday, May 5, 2003**

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**ORDER OF THE DAY:**

Consideration of the possible causes of the recent increase in the price of gasoline, and the significant negative effects that the increase is having on the economy, and can recommend appropriate corrective measures to the federal government.

**WITNESSES:**

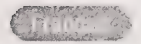
*Department of Industry:*

Peter Sagar, Acting Deputy Commissioner of Competition, Competition Bureau,  
Competition Policy Branch;

Richard Taylor, Acting Deputy Commissioner of Competition, Competition Bureau,  
Criminal Matters Branch;

Konrad von Finckenstein, Commissioner of Competition, Competition Bureau.





## MINUTES OF PROCEEDINGS

Meeting No. 40

Monday, May 5, 2003

The Standing Committee on Industry, Science and Technology met at 3:30 p.m. this day, in Room 308, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee presents:* Larry Bagnell, Paul Crête, Walt Lastewka, Serge Marcil, Brian Masse, James Rajotte and Brent St. Denis.

*Acting Member present:* Dave Chatters for Cheryl Gallant.

*Other Member present:* Paul Szabo.

*In attendance: From the Library of Parliament:* Dan Shaw, Research Officer.

*Witnesses: From the Department of Industry:* Konrad von Finckenstein, Commissioner of Competition, Competition Bureau; Richard Taylor, Acting Deputy Commissioner of Competition, Competition Bureau, Criminal Matters Branch; Peter Sagar, Acting Deputy Commissioner of Competition, Competition Bureau, Competition Policy Branch.

Pursuant to Standing Order 108(2), the Committee proceeded to the consideration of the possible causes of the recent increase in the price of gasoline, and the significant negative effects that the increase is having on the economy, and can recommend appropriate corrective measures to the federal government.

Konrad von Finckenstein made an opening statement and, with Richard Taylor and Peter Sagar answered questions.

At 5:25 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 41**

**Tuesday, May 6, 2003**

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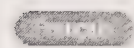
**ORDER OF THE DAY:**

Study of the Main Estimates for the fiscal year ending March 31, 2004, Votes 1, 5, L10, L15, 20, 25, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100, 105, 110, 115, 120, 125, 130 and 135, under INDUSTRY

**APPEARING:**

Honourable Allan Rock, Minister of Industry





## MINUTES OF PROCEEDINGS

Meeting No. 41

Tuesday, May 6, 2003

The Standing Committee on Industry, Science and Technology met in a televised session at 3:36 p.m. this day, in Room 253-D, Centre Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Cheryl Gallant, Jocelyne Girard-Bujold, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, James Rajotte, Andy Savoy, Brent St. Denis.

*In attendance: From the Library of Parliament:* Lalita Acharya, Dan Shaw, research officers.

*Appearing: From the House of Commons:* Hon. Allan Rock, Minister of Industry.

Pursuant to the Order of Reference of the House dated February 26, 2003, the Main Estimates for the fiscal year ending March 31, 2004, Votes 1, 5, L10, L15, 20, 25, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100, 105, 110, 115, 120, 125, 130 and 135, under INDUSTRY.

Allan Rock made an opening statement and answered questions.

At 5:29 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 42**

**Wednesday, May 7, 2003**

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**ORDER OF THE DAY:**

Consideration of the possible causes of the recent increase in the price of gasoline, and the significant negative effects that the increase is having on the economy, and can recommend appropriate corrective measures to the federal government.

**WITNESSES:**

*Petro-Canada:*

Ford Ralph, Vice-President, Wholesale and Retail.

*Shell Canada Limited:*

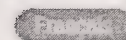
Terry Blaney, Vice-President, Marketing.

*Ultramar Ltd.:*

Jean Drolet, General Manager, Retail Development;

François Trudelle, Director, Product Supply and Operations Optimization.





## MINUTES OF PROCEEDINGS

Meeting No. 42

Wednesday, May 7, 2003

The Standing Committee on Industry, Science and Technology met at 3:30 p.m. this day, in Room 371, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Paul Crête, Brian Fitzpatrick, Walt Lastewka, Serge Marcil, Dan McTeague, James Rajotte, Andy Savoy, Brent St. Denis, Joseph Volpe.

*Acting Member present:* Dave Chatters for Cheryl Gallant.

*In attendance: From the Library of Parliament:* Dan Shaw, research officer.

*Witnesses: From the Petro-Canada:* Ford Ralph, Vice-President, Wholesale and Retail; Tom Lawson, National Pricing Manager. *From the Ultramar Ltd.:* Jean Drolet, General Manager, Retail Development, François Trudelle, Director, Product Supply and Operations Optimization; *From the Shell Canada Limited:* Terry Blaney, Vice-President Marketing, Lesley Taylor, manager, Public Affairs – Ontario.

Pursuant to Standing Order 108(2), consideration of the possible causes of the recent increase in the price of gasoline, and the significant negative effects that the increase is having on the economy, and can recommend appropriate corrective measures to the federal government.

Ford Ralph made an opening statement and with Tom Lawson answered questions.

At 4:14 p.m. the sitting was suspended.

At 4:16 p.m. the sitting resumed.

François Trudelle made an opening statement and with Jean Drolet answered questions.

At 4:49 p.m. the sitting was suspended.

At 4:52 p.m. the sitting resumed.

Terry Blaney made an opening statement and answered questions.

At 5:30 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 43**

**Monday, May 12, 2003**

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**ORDER OF THE DAY:**

Consideration of the possible causes of the recent increase in the price of gasoline, and the significant negative effects that the increase is having on the economy, and can recommend appropriate corrective measures to the federal government.

**WITNESSES:**

*"Association québécoise des indépendants du pétrole":*

René Blouin, Chief Executive Officer;

Pierre Crevier, President and Member, "Les Pétroles Crevier";

Sonia Marcotte, Economist, Director of the Economics and Legal Affairs Committee.

*"Coalition pour la défense des consommateurs de carburant du Saguenay-Lac-St-Jean":*

Jean-Pierre Benoît, Director;

Claude Girard, President.

*Imperial Oil Limited:*

Simon Smith, Vice-President, Fuels Marketing, Products and Chemicals Division.

*As Individual:*

Michael Ervin, President of MJ Ervin and Associates.



**MINUTES OF PROCEEDINGS**

Meeting No. 43

Monday, May 12, 2003

The Standing Committee on Industry, Science and Technology met at 3:30 p.m. this day, in Room 308, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Brian Fitzpatrick, Jocelyne Girard-Bujold, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, James Rajotte and Brent St. Denis.

*Acting Member present:* Dave Chatters for Cheryl Gallant.

*In attendance: From the Library of Parliament:* Dan Shaw, Research Officer.

*Witnesses: From the "Association québécoise des indépendants du pétrole":* René Blouin, President-Executive Director; Pierre Crevier, President of "Les Pétroles Crevier" and Member of the AQUIP's Economic Affairs Committee; Sonia Marcotte, Economist, Director of the AQUIP's Economic and Legal Affairs Committee. *From Imperial Oil Limited:* Simon Smith, Vice-President, Fuels Marketing, Products and Chemicals Division. *From the "Coalition pour la défense des consommateurs de carburant du Saguenay-Lac-St-Jean":* Claude Girard, President; Jean-Pierre Benoît, Director. *As Individual:* Michael J. Ervin, President of MJ Ervin and Associates.

Pursuant to Standing Order 108(2), the Committee resumed consideration of the possible causes of the recent increase in the price of gasoline, and the significant negative effects that the increase is having on the economy, and can recommend appropriate corrective measures to the federal government.

René Blouin, Pierre Crevier and Sonia Marcotte each made an opening statement and answered questions.

Simon Smith made an opening statement and answered questions.

Claude Girard and Jean-Pierre Benoît each made an opening statement and answered questions.

Michael Ervin made an opening statement and answered questions.

At 5:32 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 44**

**Tuesday, May 13, 2003**

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**ORDER OF THE DAY:**

Consideration of the possible causes of the recent increase in the price of gasoline, and the significant negative effects that the increase is having on the economy, and can recommend appropriate corrective measures to the federal government.

**WITNESSES:**

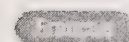
*"Association professionnelle des chauffeurs de taxi du Québec":*

Roland Boulé, President of the Regional Executive, Estrie Region.

*"L'essence à juste prix":*

Frédéric Quintal, Spokesperson.





## MINUTES OF PROCEEDINGS

Meeting No. 44

Tuesday, May 13, 2003

The Standing Committee on Industry, Science and Technology met at 4:12 p.m. this day, in Room 269, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Paul Crête, Jocelyne Girard-Bujold, Walt Lastewka, Serge Marcil, Dan McTeague, Hon. Gilbert Normand, James Rajotte, Andy Savoy and Brent St. Denis.

*Acting Member present:* Dave Chatters for Cheryl Gallant.

*In attendance: From the Library of Parliament:* Dan Shaw, Research Officer.

*Witnesses: From L'essence à juste prix:* Frédéric Quintal, Spokesperson. *From the Association professionnelle des chauffeurs de taxi du Québec:* Roland Boulé, President, Estrie Region.

Pursuant to Standing Order 108(2), the Committee resumed consideration of the possible causes of the recent increase in the price of gasoline, and the significant negative effects that the increase is having on the economy, and can recommend appropriate corrective measures to the federal government.

Roland Boulé made an opening statement and answered questions.

Frédéric Quintal made an opening statement and answered questions.

At 5:33 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 45**

**Wednesday, May 14, 2003**

---

**ORDERS OF THE DAY:**

Study of the Main Estimates for the fiscal year ending March 31, 2004, Votes, 130 and 135, under INDUSTRY

Study of the failure of the Ministry to respond to the following question was deemed referred to the Standing Committee on Industry, Science and Technology

**APPEARING:**

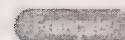
Hon. Stephen Owen, Secretary of State, Western Economic Diversification

**WITNESS:**

*Department of Industry:*

Mr. Oryssia J. Lennie, Deputy Minister, Western Economic Diversification





## MINUTES OF PROCEEDINGS

Meeting No. 45

Wednesday, May 14, 2003

The Standing Committee on Industry, Science and Technology met in a televised session at 3:30 p.m. this day, in Room 237-C, Centre Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Brian Fitzpatrick, Walt Lastewka, Serge Marcil, Dan McTeague, James Rajotte and Brent St. Denis.

*In attendance: From the Library of Parliament:* Lalita Acharya, Research Officer.

*Appearing: From the House of Commons:* Hon. Stephen Owen, Secretary of State (Western Economic Diversification).

*Witness: From the Department of Industry:* Oryssia J. Lennie, Deputy Minister, Western Economic Diversification.

Pursuant to the Order of Reference of the House dated February 26, 2003, the Committee resumed consideration of the Main Estimates for the fiscal year ending March 31, 2004, Votes, 130 and 135, under INDUSTRY.

The Secretary of State made an opening statement and answered questions.

At 4:59 p.m., the sitting was suspended.

At 5:02 p.m., the sitting resumed.

At 5:03 p.m., the Order of the House of Commons dated Monday, May 12, 2003 being read as follows:

Pursuant to Standing Order 39(5), the Committee proceeded to the consideration of the failure of the Ministry to respond to the following question was deemed referred to the Standing Committee on Industry, Science and Technology:

Q-179 – Mr. Ritz (Battlefords—Lloydminster) – For the past five years, can the government provide a breakdown of federal research funding, including research projects and infrastructure, by university, including the name of the recipient, a brief description, the type of funding and the amount?

Serge Marcil, Parliamentary Secretary to the Minister of Industry made a statement.

Debate arose there on.

At 5:07 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee

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HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 46**

**Tuesday, May 27, 2003**

---

**ORDERS OF THE DAY:**

Study of the Main Estimates for the fiscal year ending March 31, 2004, Votes, 60 and 65, under  
INDUSTRY

**APPEARING:**

Hon. Andy Mitchell, Secretary of State (Federal Economic Development Initiative for Northern Ontario;

Hon. Claude Drouin, Secretary of State (Economic Development Agency of Canada for the Regions of Quebec.





Français

## MINUTES OF PROCEEDINGS

Meeting No. 46

Tuesday, May 27, 2003

The Standing Committee on Industry, Science and Technology met at 3:41 p.m. this day, in Room 209, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* André Bachand, Larry Bagnell, Brian Fitzpatrick, Cheryl Gallant, Jocelyne Girard-Bujold, Walt Lastewka, Serge Marcil, Dan McTeague, Hon. Gilbert Normand, James Rajotte, Andy Savoy, Brent St. Denis and Joseph Volpe.

*Other Member present:* Lorne Nystrom.

*In attendance: From the Library of Parliament:* Lalita Acharya and Dan Shaw, Research Officers.

*Appearing: From the House of Commons:* Hon. Andy Mitchell, Secretary of State (Federal Economic Development Initiative for Northern Ontario); Hon. Claude Drouin, Secretary of State (Economic Development Agency of Canada for the Regions of Quebec).

*Witnesses: From the Federal Economic Development Initiative for Northern Ontario:* Louise Paquette, Director General. *From the Economic Development Agency of Canada for the Regions of Quebec:* Marc Lafrenière, Deputy Minister; Suzanne Tining, Assistant Deputy Minister, Operations; Jocelyn Jacques, Assistant Deputy Minister, Policy, Planning and Information.

Pursuant to the Order of Reference of the House dated February 26, 2003, the Main Estimates for the fiscal year ending March 31, 2004, Votes, 60 and 65, under INDUSTRY.

The Hon. Andy Mitchell, Secretary of State made an opening statement and answered questions.

At 4:35 p.m., the sitting was suspended.

At 4:39 p.m., the sitting resumed.

The Hon. Claude Drouin, Secretary of State made an opening statement and answered questions.

At 5:40 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 47**

**Wednesday, May 28, 2003**

---

**ORDERS OF THE DAY:**

Study of the Main Estimates for the fiscal year ending March 31, 2004, Votes, 75, 80, 85, 90, 95, 110 and 115, under **INDUSTRY**

**APPEARING:**

Hon. Rey Pagtakhan, Secretary of State (Science, Research and Development).

**WITNESSES:**

*Department of Industry:*

Marie Tobin, Director General, Innovation Policy Branch.

*National Research Council Canada:*

Pat Mortimer, Secretary General.

*Natural Sciences and Engineering Research Council of Canada:*

Dr. Thomas Brzustowski, President.

*Social Sciences and Humanities Research Council of Canada:*

France Landriault, Director, Corporate Performance, Evaluation and Audit Division.





Français

## MINUTES OF PROCEEDINGS

Meeting No. 47

Wednesday, May 28, 2003

The Standing Committee on Industry, Science and Technology met in a televised session at 3:31 p.m. this day, in Room 253-D, Centre Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Cheryl Gallant, Walt Lastewka, Serge Marcil, Dan McTeague, Hon. Gilbert Normand, James Rajotte, Andy Savoy and Brent St. Denis.

*In attendance: From the Library of Parliament:* Lalita Acharya and Dan Shaw, Research Officers.

*Appearing: From the House of Commons:* Hon. Rey Pagtakhan, Secretary of State (Science, Research and Development).

*Witnesses: From the Department of Industry:* Marie Tobin, Director General, Innovation Policy Branch. *From the Natural Sciences and Engineering Research Council of Canada:* Dr. Thomas A. Brzustowski, President. *From Social Sciences and Humanities Research Council of Canada:* France Landriault, Director, Corporate Performance, Evaluation and Audit Division. *From the National Research Council Canada:* Pat Mortimer, Secretary General.

Pursuant to the Order of Reference of the House dated February 26, 2003, the Main Estimates for the fiscal year ending March 31, 2004, Votes, 75, 80, 85, 90, 95, 110 and 115, under INDUSTRY.

The Hon. Rey Pagtakhan, Secretary of State and Marie Tobin each made an opening statement and, with Dr. Thomas Brzustowski, France Landriault and Pat Mortimer answered questions.

At 5:17 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 48**

**Thursday, May 29, 2003**

---

**ORDER OF THE DAY:**

Study of the Main Estimates for the fiscal year ending March 31, 2004, Votes 20 and 25, under  
INDUSTRY

**APPEARING:**

The Honourable Gerry Byrne, Minister of State, Atlantic Canada Opportunities Agency

**WITNESS:**

*Atlantic Canada Opportunities Agency:*

Peter Estey, Vice-President, Finance and Corporate Services.





## MINUTES OF PROCEEDINGS

Meeting No. 48

Thursday, May 29, 2003

The Standing Committee on Industry, Science and Technology met at 9:29 a.m. this day, in Room 269, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Brian Fitzpatrick, Walt Lastewka, Serge Marcil, Dan McTeague, Hon. Gilbert Normand, James Rajotte, Andy Savoy, Brent St. Denis, Paddy Torsney and Joseph Volpe.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Appearing: From the House of Commons:* Hon. Gerry Byrne, Minister of State (Atlantic Canada Opportunities Agency).

*Witnesses: From Atlantic Canada Opportunities Agency:* Paul J. LeBlanc, Vice-President, Policy and Programs; Peter Estey, Vice-President, Finance and Corporate Services.

Pursuant to the Order of Reference of the House dated February 26, 2003, the Main Estimates for the fiscal year ending March 31, 2004, Votes, 20 and 25, under INDUSTRY.

The Hon. Gerry Byrne, Minister of State made an opening statement and with Peter Estey answered questions.

At 10:34 a.m., the sitting was suspended.

At 10:37 a.m., the sitting resumed.

The Committee resumed *in camera* to considers its future business.

At 11:10 a.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 49**

**Monday, June 2, 2003**

---

**ORDER OF THE DAY:**

Study of the Automatic Injunction Provisions in the Patented Medicine (*Notice of Compliance*)  
*Regulations of the Patent Act*

**WITNESSES:**

*Department of Health:*

David Lee, Director, Office of Patented Medicines and Liaison;

Robert Peterson, Director General, Therapeutics Products Directorate, Health Products and  
Food Branch.

*Department of Industry:*

Douglas Clark, Acting Senior Project Leader, Patent Policy Directorate;

Éric Dagenais, Acting Director, Patent Policy Directorate;

Andreï Sulzenko, Senior Assistant Deputy Minister, Policy Sector;

Marie-Josée Thivierge, Director General, Marketplace Framework Policy Branch.





Français

## MINUTES OF PROCEEDINGS

Meeting No. 49

Monday, June 2, 2003

The Standing Committee on Industry, Science and Technology met in a televised session at 3:30 p.m. this day, in Room 253-D, Centre Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* André Bachand, Larry Bagnell, Paul Crête, Brian Fitzpatrick, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, Hon. Gilbert Normand, James Rajotte, Andy Savoy, Brent St. Denis and Joseph Volpe.

*Acting Members present:* Rob Merrifield for Cheryl Gallant and Marlene Jennings for Paddy Torsney.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From the Department of Industry:* Andreï Sulzenko, Senior Assistant Deputy Minister, Policy Sector; Marie-Josée Thivierge, Director General, Marketplace Framework Policy Branch; Eric Dagenais, Acting Director, Patent Policy Directorate; Douglas Clark, Acting Senior Project Leader, Patent Policy Directorate; Rob Sutherland-Brown, Senior Counsel, Legal Services. *From the Department of Health:* Dr. Robert Peterson, Director General, Therapeutics Products Directorate, Health Products and Food Branch; David Lee, Director, Office of Patented Medicines and Liaison; Anne Bowes, Manager, Patent and Liaison; David K. Edwards, Legal Counsel, Legal Services.

Pursuant to Standing Order 108(2), the Committee proceeded to the consideration of the Automatic Injunction Provisions in the Patented Medicine (*Notice of Compliance*) Regulations of the Patent Act.

Andreï Sulzenko made an opening statement and, with Eric Dagenais, Douglas Clark and Marie-Josée Thivierge answered questions.

Robert Peterson made an opening statement and, with David Lee answered questions.

At 5:32 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 50**

**Tuesday, June 3, 2003**

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**ORDER OF THE DAY:**

Study of the Automatic Injunction Provisions in the Patented Medicine (*Notice of Compliance*)  
*Regulations of the Patent Act*

**WITNESSES:**

*Canadian Generic Pharmaceutical Association:*

Jean-Guy Goulet, Chair, President and Chief Executive Officer of Ratiopharm Inc.;

Ed Hore, Legal Counsel;

Jack Kay, Past-Chair, President and Chief Executive Officer of Apotex Inc.;

Jim Keon, President;

Hank Klakurka, President and Chief Executive Officer of Genpharm Inc.;

Allan Oberman, Vice-Chair, President and Chief Executive Officer of Novopharm Limited.



## MINUTES OF PROCEEDINGS

Meeting No. 50

Tuesday, June 3, 2003

The Standing Committee on Industry, Science and Technology met in a televised session at 3:56 p.m. this day, in Room 253-D, Centre Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* André Bachand, Larry Bagnell, Paul Crête, Cheryl Gallant, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, Hon. Gilbert Normand, James Rajotte, Andy Savoy, Brent St. Denis and Joseph Volpe.

*Acting Members present:* Mac Harb for Paddy Torsney and Rob Merrifield for Brian Fitzpatrick.

*Attendance:* From the Library of Parliament: Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses:* From the Canadian Generic Pharmaceutical Association: Jim Keon, President; Jean-Guy Goulet, Chair, President and Chief Executive Officer of Ratiopharm Inc.; Allan Oberman, Vice-Chair, President and Chief Executive Officer of Novopharm Limited; Jack Kay, Past-Chair, President and Chief Executive Officer of Apotex Inc.; Hank Klakurka, President and Chief Executive Officer of Genpharm Inc.; Ed Hore, Legal Counsel; David Goodman, Executive Vice-President, Pharmascience Inc..

Pursuant to Standing Order 108(2), the Committee resumed consideration of the Automatic Injunction Provisions in the Patented Medicine (Notice of Compliance) Regulations of the Patent Act.

Jim Keon and Jean-Guy Goulet each made an opening statement and, with Ed Hore, Jack Kay, Allan Oberman and Hank Klakurka answered questions.

At 6:02 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 51**

**Wednesday, June 4, 2003**

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**ORDER OF THE DAY:**

Study of the Automatic Injunction Provisions in the Patented Medicine (*Notice of Compliance*)  
*Regulations of the Patent Act*

**WITNESSES:**

*Canada's Research-Based Pharmaceutical Companies:*

Adrienne Blanchard, Legal Counsel from Gowlings Lafleur Henderson;

Murray Elston, President, Rx&D;

Janet Lambert, President of BIOTECCanada;

Jean-François Leprince, President, Aventis Pharma;

Paul Lucas, President and Chief Executive Officer of GlaxoSmithKline;

Gerry McDole, President and Chief Executive Office of AstraZeneca Canada Inc..



## MINUTES OF PROCEEDINGS

Meeting No. 51

Wednesday, June 4, 2003

The Standing Committee on Industry, Science and Technology met in a televised session at 3:30 p.m. this day, in room 253-D, Centre Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* André Bachand, Larry Bagnell, Paul Crête, Cheryl Gallant, Walt Lastewka, Serge Gauthier, Brian Masse, Dan McTeague, Hon. Gilbert Normand, James Rajotte, Brent St. Denis, Paddy Torsney and Joseph Volpe.

*Guest Members present:* Rob Merrifield for Brian Fitzpatrick and Judy Sgro for Andy Savoy.

*Attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From the Canada's Research-Based Pharmaceutical Companies:* Murray J. Elston, President, Rx&D; Paul Lucas, President and Chief Executive Officer of GlaxoSmithKline; Gerry McDole, President and Chief Executive Officer of AstraZeneca Canada Inc.; Jean-François Leprince, President of Aventis Pharma; Janet Lambert, President of OTECanada; Adrienne Blanchard, Legal Counsel from Gowlings Lafleur Henderson.

Pursuant to Standing Order 108(2), the Committee resumed consideration of its study on the Automatic Injunction provisions in the Patented Medicine (Notice of Compliance) Regulations of the Patent Act.

Paul Lucas, Jean-François Leprince and Janet Lambert each made an opening statement and, with Gerry McDole, Murray Elston and Adrienne Blanchard answered questions.

At 4:36 p.m., the sitting was suspended.

At 4:56 p.m., the sitting resumed.

At 5:56 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 52**

**Monday, June 9, 2003**

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**ORDER OF THE DAY:**

Study of the Automatic Injunction Provisions in the Patented Medicine (*Notice of Compliance*)  
*Regulations of the Patent Act*

**WITNESSES:**

*Department of Health:*

Anne Bowes, Manager, Patent and Liaison;

David Edwards, Legal Counsel, Legal Services;

David Lee, Director, Office of Patented Medicines and Liaison;

Robert Peterson, Doctor, Director General, Therapeutics Products Directorate, Health  
Products and Food Branch.

*Department of Industry:*

Douglas Clark, Acting Senior Project Leader, Patent Policy Directorate;

Andrei Sulzenko, Senior Assistant Deputy Minister, Policy Sector;

Rob Sutherland-Brown, Senior Counsel, Legal Services;

Marie-Josée Thivierge, Director General, Marketplace Framework Policy Branch.





Français

## MINUTES OF PROCEEDINGS

Meeting No. 52

Monday, June 9, 2003

The Standing Committee on Industry, Science and Technology met in a televised session at 3:30 p.m. this day, in Room 253-D, Centre Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Cheryl Gallant, Walt Lastewka, Serge Marcil, Dan McTeague, James Rajotte, Brent St. Denis, Paddy Torsney and Joseph Volpe.

*Acting Members present:* Rob Merrifield for Brian Fitzpatrick, Svend Robinson for Brian Masse and Bernard Patry for Hon. Gilbert Normand.

*In attendance: From the Library of Parliament:* Geoffrey P. Kieley and Dan Shaw, Research Officers.

*Witnesses: From the Department of Industry:* Andreï Sulzenko, Senior Assistant Deputy Minister, Policy Sector; Marie-Josée Thivierge, Director General, Marketplace Framework Policy Branch; Douglas Clark, Acting Senior Project Leader, Patent Policy Directorate; Rob Sutherland-Brown, Senior Counsel, Legal Services. *From the Department of Health:* Dr. Robert Peterson, Director General, Therapeutics Products Directorate, Health Products and Food Branch; David Lee, Director, Office of Patented Medicines and Liaison; Anne Bowes, Manager, Patent and Liaison; David K. Edwards, Legal Counsel, Legal Services.

Pursuant to Standing Order 108(2), the Committee resumed its consideration of the Automatic Injunction Provisions in the Patented Medicine (Notice of Compliance) Regulations of the Patent Act.

Andreï Sulzenko made an opening statement and, with Marie-Josée Thivierge, Douglas Clark, Rob Sutherland-Brown, Robert Peterson, David Lee, Anne Bowes and David Edwards answered questions.

At 5:31 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee







HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 53**

**Tuesday, June 10, 2003**

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**ORDER OF THE DAY:**

Consideration of the Potential Economic Impact on Canadian Industry of implementing the Kyoto Protocol

**APPEARING:**

Hon. David Anderson, Minister of Environment.





Français

## MINUTES OF PROCEEDINGS

Meeting No. 53

Tuesday, June 10, 2003

The Standing Committee on Industry, Science and Technology met in a televised session at 12:23 p.m. this day, in Room 253-D, Centre Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Walt Lastewka, Serge Marcil, Dan McTeague, James Rajotte, Brent St. Denis, Paddy Torsney and Joseph Volpe.

*Acting Members present:* Bob Mills for Cheryl Gallant, Bernard Bigras for Paul Crête and Joe Comartin for Brian Masse.

*In attendance: From the Library of Parliament:* Lalita Acharya and Dan Shaw, Research Officers.

*Appearing: From the House of Commons:* Hon. David A. Anderson, Minister of the Environment.

*Witness: From the Department of the Environment:* Norine Smith, Assistant Deputy Minister, Policy and Communications.

Pursuant to Standing Order 108(2), the Committee resumed consideration of the Potential Economic Impact on Canadian Industry of Implementing the Kyoto Protocol.

The Hon. David Anderson, Minister of the Environment made an opening statement and answered questions.

At 1:56 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 54**

**Wednesday, June 11, 2003**

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**IN CAMERA**





Français

## MINUTES OF PROCEEDINGS

Meeting No. 54

Wednesday, June 11, 2003

The Standing Committee on Industry, Science and Technology met *in camera* at 3:30 p.m. this day, in Room 371, West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* André Bachand, Larry Bagnell, Paul Crête, Brian Fitzpatrick, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, Hon. Gilbert Normand, James Rajotte, Andy Savoy, Brent St. Denis and Joseph Volpe.

*Acting Members present:* Colleen Beaumier for Paddy Torsney, Rob Merrifield for Cheryl Gallant and Dave Chatters for Cheryl Gallant.

*In attendance: From the Library of Parliament:* Lalita Acharya; Geoffrey P. Kieley and Dan Shaw, Research Officers.

Pursuant to Standing Order 108(2), the Committee proceeded to the consideration of the Automatic Injunction Provisions in the Patented Medicine (Notice of Compliance) Regulations of the Patent Act.

It was agreed, -- That the Research Officers write a summary of evidence heard during meetings 49 to 52.

Pursuant to Standing Order 108(2), the Committee proceeded to the consideration of the Potential Economic Impact on Canadian Industry of Implementing the Kyoto Protocol.

It was agreed, -- That the Research Officers write a summary of evidence heard during meetings 8 to 11.

It was agreed, -- That the Committee proceed to a periodic monitoring of the potential economic impact on the Canadian Industry from the implementation of the Kyoto Protocol

Pursuant to Standing Order 108(2), the Committee proceeded to the consideration of the Causes of the Recent Increase in the Price of Gasoline and the Significant Negative Effects that the Increase is having on the Economy, and can Recommend Appropriate Corrective Measures to the Federal Government.

It was agreed, -- That the Research Officers write an issues and options paper on this subject.

At 5:19 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé

Clerk of the Committee





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HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 55**

**Wednesday, September 17, 2003**

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**ORDER OF THE DAY:**

Consideration of the request by four members of the Committee in relation to the Canadian Grand Prix

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## MINUTES OF PROCEEDINGS

Meeting No. 55

Wednesday, September 17, 2003

The Standing Committee on Industry, Science and Technology met at 3:32 p.m. this day, in Room 269 West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* André Bachand, Larry Bagnell, Paul Crête, Cheryl Gallant, Walt Lastewka, Brian Masse, Dan McTeague, Gilbert Normand, James Rajotte, Brent St. Denis and Joseph Volpe.

*Acting Members present:* Marlene Jennings for Paddy Torsney, Réal Ménard for Jocelyne Girard-Bujold and Massimo Pacetti for Andy Savoy.

*In attendance: Library of Parliament:* Dan Shaw, Analyst; Lalita Acharya, Analyst; Robin MacKay, Legal Counsel.

Pursuant to Standing Order 106(4), the Committee commenced consideration of the request by four (4) members of the Committee in relation to the Canadian Grand Prix.

Paul Crête moved, — That the Standing Committee on Industry, Science and Technology lend its firm and enthusiastic support to the Government of Quebec's Montreal Grand Prix mission, to ensure that the Canadian Grand Prix remains in Montreal in 2004 and in subsequent years.

That the Standing Committee on Industry, Science and Technology proceed with a hearing of automobile manufacturers, to make them aware of the importance of the Grand Prix.

Réal Ménard moved, — That the motion be amended by deleting the words "proceed with a hearing of automobile manufacturers, to make them aware of the importance of the Grand Prix" and substituting the words "call before the Committee Mr. Normand Legault, President and Chief Executive Officer of the Grand Prix of Canada, as soon as possible".

After debate, the question was put on the amendment of Réal Ménard and it was agreed to, by a show of hands: YEAS: 10; NAYS: 1.

After debate, the question was put on the motion, as amended, and it was agreed to, by a show of hands: YEAS: 10; NAYS: 1.

At 4:21 p.m., the sitting was suspended.

At 4:22 p.m., the sitting resumed *in camera*.

The Committee proceeded to the consideration of matters related to Committee business.

It was agreed, — That the Committee resume its study of the Potential Economic Impact on Canadian

Industry of Implementing the Kyoto Protocol and that the Minister of Industry and the Minister of Natural Resources be invited to appear before the Committee.

It was agreed, — That the Committee meet *in camera* in order to give direction to the Library of Parliament Research Staff for the drafting of a Report on the Gasoline Prices in Canada.

It was agreed, — That, further to the Committee's study on the Patented Medicines (Notice of Compliance) Regulations of the Patent Act, Ms. Margaret Smith be invited to appear *in camera* before the Committee.

It was agreed, — That meetings be held on Technology Partners, Banks and the Automobile Industry .

It was agreed, — That representatives from the Canada Foundation for Innovation, the Social Sciences and Humanities Research Council of Canada and the Natural Sciences and Engineering Research Council of Canada be invited to appear before the Committee.

At 4:46 p.m., the Committee adjourned to the call of the Chair.

Jean-François Pagé, Louise M. Thibault  
Clerks of the Committee

2003/09/22 9:53 a.m.

HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 56**

**Monday, September 22, 2003**

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**IN CAMERA**





## MINUTES OF PROCEEDINGS

Meeting No. 56

Monday, September 22, 2003

The Standing Committee on Industry, Science and Technology met *in camera* at 3:33 p.m. this day, in Room 705 La Promenade Building, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Brian Fitzpatrick, Cheryl Gallant, Walt Lastewka, Brian Masse, Dan McTeague, James Rajotte, Brent St. Denis, Paddy Torsney and Joseph Volpe.

*Other Members present:* Robert Bertrand.

*In attendance: Library of Parliament:* Dan Shaw, Analyst; Lalita Acharya, Analyst; Robin MacKay, Analyst.

*Witnesses: As Individual:* Margaret Smith, Consultant.

Pursuant to Standing Order 108(2), consideration of the Automatic Injunction Provisions in the Patented Medicine (Notice of Compliance) Regulations of the Patent Act.

The witness made a statement and answered questions.

At 5:31 p.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2003/09/23 1:22 p.m.





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 57**

**Tuesday, September 30, 2003**

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**ORDER OF THE DAY:**

Election of Chair and Vice-Chairs





## MINUTES OF PROCEEDINGS

Meeting No. 57

Tuesday, September 30, 2003

The Standing Committee on Industry, Science and Technology met at 9:15 a.m. this day, in Room 308 West Block, for the purpose of electing a Chair, pursuant to Standing Order 106(1).

*Members of the Committee present:* Larry Bagnell, Paul Crête, Cheryl Gallant, Walt Lastewka, Brian Masse, Gilbert Normand, James Rajotte and Brent St. Denis.

*Acting Members present:* Sue Barnes for Paddy Torsney, Rick Borotsik for André Bachand, James Lunney for Brian Fitzpatrick, Paul Harold Macklin for Serge Marcil, Geoff Regan for Andy Savoy, Jacques Saada for Dan McTeague and Paul Steckle for Joseph Volpe.

*In attendance: Library of Parliament:* Lalita Acharya, Analyst; Dan Shaw, Analyst.

The Clerk of the Committee presided over the election of a Chair.

On motion of Gilbert Normand, it was agreed, — That Walt Lastewka be elected Chair of the Committee.

The Clerk of the Committee presided over the election of the Vice-Chairs.

On motion of Cheryl Gallant, it was agreed, — That James Rajotte be elected as Opposition Vice-Chair of the Committee.

Larry Bagnell moved, — That Dan McTeague be elected as Government Vice-Chair of the Committee.

Gilbert Normand moved, — That Brent St-Denis be elected as Government Vice-Chair of the Committee.

Pursuant to Standing Order 106(3), the election was conducted by secret ballot.

The ballots having been counted, Dan McTeague was declared duly elected, *in absentia*, as Government Vice-Chair of the Committee.

Walt Lastewka took the Chair.

By unanimous consent, it was agreed, — That the Committee proceed to the consideration of future business and establish a tentative calendar of meetings.

At 9:50 a.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2003/10/02 12:13 p.m.

HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 58**

**Tuesday, October 7, 2003**

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**IN CAMERA**





## MINUTES OF PROCEEDINGS

Meeting No. 58

Tuesday, October 7, 2003

The Standing Committee on Industry, Science and Technology met *in camera* at 9:11 a.m. this day, in Room 269 West Block, the chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Brian Fitzpatrick, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, James Rajotte, Brent St. Denis, Paddy Torsney and Joseph Volpe.

*In attendance: Library of Parliament:* Lalita Acharya, Analyst; Dan Shaw, Analyst.

Pursuant to Standing Order 108(2), consideration of the possible causes of the recent increase in the price of gasoline, and the significant negative effects that the increase is having on the economy, and can recommend appropriate corrective measures to the federal government.

The Committee proceeded to the consideration of instructions to Researchers regarding a draft report.

At 10:48 a.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2003/10/07 1:35 p.m.





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 59**

**Thursday, October 9, 2003**

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**ORDER OF THE DAY:**

Consideration of the Potential Economic Impact on Canadian Industry of implementing the Kyoto Protocol

**APPEARING:**

Hon. Allan Rock, Minister of Industry





## MINUTES OF PROCEEDINGS

Meeting No. 59

Thursday, October 9, 2003

The Standing Committee on Industry, Science and Technology met in a televised session at 8:15 a.m. this day, in Room 7-C Centre Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* André Bachand, Larry Bagnell, Paul Crête, Cheryl Gallant, Walt Lastewka, Serge Gauthier, Brian Masse, Dan McTeague, James Rajotte, Brent St. Denis, Paddy Torsney and Joseph Volpe.

*Invited Members present:* Massimo Pacetti for Larry Bagnell.

*Attendance: Library of Parliament:* Lalita Acharya, Analyst; Dan Shaw, Analyst.

*Attending:* Hon. Allan Rock, Minister of Industry.

*Other Participants present: Department of Industry:* David Fransen, Assistant Deputy Minister.

Pursuant to Standing Order 108(2), the Committee resumed consideration of the Potential Economic Impact on Canadian Industry of Implementing the Kyoto Protocol.

At 10:11 a.m., the Committee adjourned to the call of the Chair.

Eugene Morawski  
Committee Clerk

2003/10/09 11:19 a.m.



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 60**

**Tuesday, October 21, 2003**

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**ORDER OF THE DAY:**

Study of the status of Canada's automotive sector

**WITNESSES:**

*Canadian Vehicle Manufacturers' Association:*

Eda Crossmile, Manager, External Affairs and Public Policy;

Mark Nantais, President.





## MINUTES OF PROCEEDINGS

Meeting No. 60

Tuesday, October 21, 2003

The Standing Committee on Industry, Science and Technology met at 9:12 a.m. this day, in Room 308 West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Cheryl Gallant, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, Gilbert Normand, James Rajotte, Brent St. Denis, Paddy Torsney and Joseph Volpe.

*In attendance: Library of Parliament:* Dan Shaw, Analyst; Lalita Acharya, Analyst.

*Witnesses: Canadian Vehicle Manufacturers' Association:* Eda Crossmile, Manager, External Affairs and Public Policy; Mark Nantais, President.

Pursuant to Standing Order 108(2), the Committee commenced its study of Status of Canada's Automotive Sector.

Mark Nantais made an opening statement and with the other witness answered questions.

At 10:55 a.m., the Committee adjourned to the call of the Chair.

Eugene Morawski  
Committee Clerk

2003/10/22 11:38 a.m.





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 61**

**Thursday, October 23, 2003**

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**ORDER OF THE DAY:**

Study of the Status of Canada's Automotive Sector

**WITNESSES:**

*Canadian Auto Workers Union:*

Ken Lewenza, President CAW Council;

Bill Murnighan, National Representative, Research/Pension and Benefits Department.





## MINUTES OF PROCEEDINGS

Meeting No. 61

Thursday, October 23, 2003

The Standing Committee on Industry, Science and Technology met at 9:06 a.m. this day, in Room 308 West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* André Bachand, Larry Bagnell, Brian Fitzpatrick, Cheryl Gallant, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, James Rajotte, Paddy Torsney and Joseph Volpe.

*In attendance: Library of Parliament:* Dan Shaw, Analyst.

*Witnesses: Canadian Auto Workers Union:* Ken Lewenza, President CAW Council; Bill Murnigham, National Representative, Research / Pension and Benefits Department.

Pursuant to Standing Order 108(2), the Committee resumed its study of Status of Canada's Automotive Sector.

The witnesses made opening statements and answered questions.

At 10:10 a.m., the sitting was suspended.

At 10:49 a.m., the sitting resumed.

The witnesses answered questions.

At 10:58 a.m., the Committee adjourned to the call of the Chair.

Eugene Morawski  
Committee Clerk

2003/10/24 11:23 a.m.



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 62**

**Tuesday, October 28, 2003**

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**IN CAMERA**





## MINUTES OF PROCEEDINGS

Meeting No. 62

Tuesday, October 28, 2003

The Standing Committee on Industry, Science and Technology met *in camera* at 3:29 p.m. this day, in Room 308 West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* André Bachand, Larry Bagnell, Paul Crête, Brian Fitzpatrick, Walt Lastewka, Serge Marcil, Brian Masse, Dan McTeague, Gilbert Normand, Andy Savoy, Brent St. Denis, Paddy Torsney and Joseph Volpe.

*Acting Members present:* Rahim Jaffer for James Rajotte.

*In attendance: Library of Parliament:* Lalita Acharya, Analyst; Dan Shaw, Analyst; Robin MacKay, Analyst.

*Witnesses: Department of Health:* David K. Lee, Director, Health Products and Food Branch, Therapeutic Products Directorate, Office of the Patented Medicines and Liaison.

Pursuant to Standing Order 108(2), consideration of the Automatic Injunction Provisions in the Patented Medicine (Notice of Compliance) Regulations of the Patent Act.

The witness made a presentation and answered questions.

At 5:24 p.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2003/10/30 1:19 p.m.





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 63**

**Wednesday, October 29, 2003**

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**IN CAMERA**





## MINUTES OF PROCEEDINGS

Meeting No. 63

Wednesday, October 29, 2003

The Standing Committee on Industry, Science and Technology met *in camera* at 3:39 p.m. this day, in Room 306 West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Brian Fitzpatrick, Walt Lastewka, Serge Marcil, Dan McTeague, Brent St. Denis and Joseph Volpe.

*Acting Members present:* Christiane Gagnon for Jocelyne Girard-Bujold, Grant Hill for Cheryl Gallant, Hélène Scherrer for Andy Savoy and Monte Solberg for James Rajotte.

*In attendance: Library of Parliament:* Dan Shaw, Analyst; Lalita Acharya, Analyst.

Pursuant to Standing Order 108(2), consideration of the possible causes of the recent increase in the price of gasoline, and the significant negative effects that the increase is having on the economy, and can recommend appropriate corrective measures to the federal government.

The Committee commenced consideration of a draft report.

At 5:33 p.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2003/11/04 7:57 a.m.



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 64**

**Thursday, October 30, 2003**

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**IN CAMERA**





## MINUTES OF PROCEEDINGS

Meeting No. 64

Thursday, October 30, 2003

The Standing Committee on Industry, Science and Technology met *in camera* at 9:08 a.m. this day, in Room 269 West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* André Bachand, Paul Crête, Brian Fitzpatrick, Cheryl Gallant, Walt Lastewka, Serge Marcil, Dan McTeague, James Rajotte, Brent St. Denis, Paddy Torsney and Joseph Volpe.

*Acting Members present:* David Chatters for Cheryl Gallant and Pat Martin for Brian Masse.

*In attendance: Library of Parliament:* Dan Shaw, Analyst; Lalita Acharya, Analyst.

Pursuant to Standing Order 108(2), consideration of the possible causes of the recent increase in the price of gasoline, and the significant negative effects that the increase is having on the economy, and can recommend appropriate corrective measures to the federal government.

The Committee resumed consideration of a draft report.

At 10:59 a.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2003/11/04 8:08 a.m.





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 65**

**Tuesday, November 4, 2003**

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**ORDER OF THE DAY:**

Study of Small and Medium-Sized Enterprise Bank Lending (SME Financing).

**WITNESSES:**

*Canadian Federation of Independent Business:*

Doug Bruce, Director of Research;

Brien Gray, Senior Vice-President, Field Operations;

André Piché, Director, National Affairs;

Garth Whyte, Executive Vice-President, National Affairs.





## MINUTES OF PROCEEDINGS

Meeting No. 65

Tuesday, November 4, 2003

The Standing Committee on Industry, Science and Technology met in a televised session at 9:03 a.m. this day, in Room 3-D Centre Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Brian Fitzpatrick, Cheryl Gallant, Walt Lastewka, Serge Arcil, Dan McTeague, James Rajotte, Brent St. Denis and Joseph Volpe.

*Guest Members present:* Yvon Godin for Brian Masse.

*Attendance: Library of Parliament:* Lalita Acharya, Analyst; Dan Shaw, Analyst.

*Guests:* Canadian Federation of Independent Business: Brien G. Gray, Senior Vice-President, Field Operations; Keith Whyte, Executive Vice-President, National Affairs; Doug Bruce, Director of Research; André Piché, Director, National Affairs.

Pursuant to Standing Order 108(2), the Committee commenced its study of Small and Medium-Sized Enterprise Bank Lending (SME Financing).

Guest witnesses made a presentation and answered questions.

At 11:03 a.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2003/11/06 12:07 p.m.



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

---

**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 66**

**Wednesday, November 5, 2003**

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**IN CAMERA**





## MINUTES OF PROCEEDINGS

Meeting No. 66

Wednesday, November 5, 2003

The Standing Committee on Industry, Science and Technology met *in camera* at 3:37 p.m. this day, in Room 209 West Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* Larry Bagnell, Paul Crête, Cheryl Gallant, Walt Lastewka, Serge Marcil, Brian Masse, James Rajotte, Andy Savoy, Brent St. Denis and Joseph Volpe.

*Acting Members present:* Gerald Keddy for André Bachand, Carolyn Parrish for Paddy Torsney and Judy Sgro for Dan McTeague.

*In attendance: Library of Parliament:* Lalita Acharya, Analyst; Robin MacKay, Analyst; Dan Shaw, Analyst.

Pursuant to Standing Order 108(2), consideration of the possible causes of the recent increase in the price of gasoline, and the significant negative effects that the increase is having on the economy, and can recommend appropriate corrective measures to the federal government.

The Committee resumed consideration of a draft report.

It was agreed, — That the draft report (as amended) be concurred in.

Ordered, — That the Chair or a designate present the Fifth Report (as amended) to the House at the earliest possible opportunity.

It was agreed, — That pursuant to Standing Order 109, the Committee request that the Government table a comprehensive response to this report within one hundred fifty (150) days.

It was agreed, — That the Chair be authorized to make such typographical and editorial changes as may be necessary without changing the substance of the Draft Report to the House.

It was agreed, — That 550 copies of the Report be printed in both English and French in tumble format.

It was agreed, — That, pursuant to Standing Order 108(1)(a), the Committee authorize the printing of dissenting and/or supplementary opinions as appendices to this report, immediately following the signature of the Chair.

It was agreed, — That any dissenting and/or supplementary opinions be limited to not more than three (3) pages.

It was agreed, — That any dissenting and/or supplementary opinions be received by the Clerk by electronic mail in both official languages as soon as possible.

Pursuant to Standing Order 108(2), the Committee commenced consideration of future business relating to the Automatic Injunction Provisions in the Patented Medicine (Notice of Compliance) Regulations of the Patent Act.

At 5:28 p.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2003/11/06 11:47 a.m.



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 2nd SESSION

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**MINTUES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Walt Lastewka, Lib.

**Meeting No. 67**

**Thursday, November 6, 2003**

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**ORDER OF THE DAY:**

Study of Small and Medium-Sized Enterprise Bank Lending (SME Financing).

**WITNESSES:**

*Canadian Bankers Association:*

Terry Campbell, Vice-President, Policy;

Pierre Dubreuil, Senior Vice-President, Greater Montreal and Southern Quebec, National Bank of Canada;

Susan Kennedy-Loewen, Vice-President, Small Business Banking, Scotiabank;

Louise Mitchell, Vice-President, Business Markets, RBC Royal Bank;

Kathleen O'Neill, Executive Vice-President, Business Banking, and Head of Sales and Marketing, BMO Bank of Montreal;

Robert Paterson, Senior Vice-President, Small Business Banking, CIBC;

Nick Stitt, Vice-President, Small Business Banking, Toronto Dominion Bank.



## MINUTES OF PROCEEDINGS

Meeting No. 67

Thursday, November 6, 2003

The Standing Committee on Industry, Science and Technology met in a televised session at 9:10 a.m. this day, in Room 3-D Centre Block, the Chair, Walt Lastewka, presiding.

*Members of the Committee present:* André Bachand, Larry Bagnell, Paul Crête, Cheryl Gallant, Walt Lastewka, Gilbert Ormand, James Rajotte and Brent St. Denis.

*Attending Members present:* Claude Duplain for Serge Marcil, Yvon Godin for Brian Masse, Marlene Jennings for Andy Hoy and Carolyn Parrish for Paddy Torsney.

*Attendance: Library of Parliament:* Dan Shaw, Analyst; Lalita Acharya, Analyst.

*Witnesses: Canadian Bankers Association:* Terry Campbell, Vice-President, Policy; Pierre Dubreuil, Senior Vice-President, Greater Montreal and Southern Quebec, National Bank of Canada; Susan Kennedy-Loewen, Vice-President, Small Business Banking, Scotiabank; Louise Mitchell, Vice-President, Business Markets, RBC Royal Bank; Kathleen Neill, Executive Vice-President, Business Banking and Head of Sales and Marketing, BMO Bank of Montreal; Robert Paterson, Senior Vice-President, Small Business Banking, CIBC; Nick Stitt, Vice-President, Small Business Banking, Toronto Dominion Bank.

Pursuant to Standing Order 108(2), the Committee resumed its study of Small and Medium-Sized Enterprise Bank Lending (SME Financing).

The witnesses made statements and answered questions.

At 11:04 a.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

03/12/03 3:09 p.m.



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 3rd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Brent St-Denis, Lib.

**Meeting No. 1**

**Monday, February 16, 2004**

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**ORDERS OF THE DAY:**

Election of Chair and Vice-Chairs

Future business







## MINUTES OF PROCEEDINGS

Meeting No. 1

Monday, February 16, 2004

The Standing Committee on Industry, Science and Technology met at 3:33 p.m. this day, in Room 237-C Centre Block, for the purpose of electing a Chair, pursuant to Standing Order 106(1).

*Members of the Committee present:* Hon. David Collenette, Hon. Joe Fontana, Cheryl Gallant, Marlene Jennings, Grant McNally, James Rajotte, Carol Skelton and Hon. Lyle Vanclicf.

*Acting Members present:* Hon. Larry Bagnell for Andy Savoy, Hon. Sue Barnes for Hon. Herb Dhaliwal, Claude Duplain for Hon. Gurbax Malhi, Yvon Godin for Brian Masse, Michel Guimond for Jocelyne Girard-Bujold, Ovid Jackson for Brent St. Denis, Christian Jobin for Hon. Gurbax Malhi, Réal Ménard for Paul Crête, Pauline Picard for Jocelyne Girard-Bujold and Raymond Simard for Gérard Binet.

*In attendance: Library of Parliament:* Lalita Acharya, Analyst; Dan Shaw, Analyst. *House of Commons:* William Farrell, Committee Clerk.

The Clerk of the Committee presided over the election of a Chair.

On motion of Larry Bagnell, it was agreed, — That Brent St.Denis be elected, *in absentia*, Chair of the Committee.

The Clerk of the Committee presided over the election of the Vice-Chairs.

Grant McNally moved, — That James Rajotte be elected as Opposition Vice-Chair of the Committee.

Réal Ménard moved, — That Paul Crête be elected as Opposition Vice-Chair of the Committee.

Pursuant to Standing Order 106(3), the election was conducted by secret ballot.

The ballots having been counted, James Rajotte was declared duly elected as Opposition Vice-Chair of the Committee.

On motion of Raymond Simard, it was agreed, — That Marlene Jennings be elected as Government Vice-Chair of the Committee.

The Government Vice-Chair, Marlene Jennings, took the Chair.

Ovid Jackson moved, — That the Subcommittee on Agenda and Procedure be composed of the Chair, the two Vice-Chairs, the Parliamentary Secretary, and a representative of the Conservative Party, one Bloc Québécois Member and one New Democratic Party Member.

Debate arose thereon.



Joe Fontana moved, — That the motion be amended by adding after “Parliamentary Secretary” the following: “to the Prime Minister (Science and Small Business)”.

After debate, the question was put on the amendment of Joe Fontana and it was agreed to on the following recorded division: YEAS: Larry Bagnell, David Collenette, Joe Fontana, Ovid Jackson, Grant McNally, James Rajotte, Raymond Simard, Lyle Vanclief — 8; NAYS: Cheryl Gallant, Yvon Godin, Réal Ménard, Carol Skelton — 4.

Lyle Vanclief moved, — That the motion as amended be adopted.

After debate, the question was put on the motion and the result of the vote was announced: YEAS: 7; NAYS: 7.

Whereupon, the Government Vice-Chair voted in the affirmative.

Accordingly, the motion was agreed to.

On motion of Raymond Simard, it was agreed, — That the Committee retain the services of one or more analysts from the Library of Parliament, as needed, to assist the Committee in its work, at the discretion of the Chair.

On motion of Yvon Godin, it was agreed, — That the Chair be authorized to hold meetings to receive and publish evidence when a quorum is not present provided that at least four (4) members and the Chair are present, including a member of the opposition.

On motion of Ovid Jackson, it was agreed, — That witnesses be given ten (10) minutes for their opening statement; that, at the discretion of the Chair, during the questioning of witnesses, there be allocated five (5) minutes for the first questioner of each party; and that thereafter five (5) minutes be allocated to each subsequent questioner, alternating between Government and Opposition parties.

On motion of Ovid Jackson, it was agreed, — That, if requested, reasonable travel, accommodation and living expenses be reimbursed to witnesses not exceeding two (2) representatives per organization.

On motion of Ovid Jackson, it was agreed, — That the Clerk of the Committee be authorized to distribute to the members of the Committee documents only when they exist in both official languages.

On motion of Ovid Jackson, it was agreed, — That the Clerk of the Committee be authorized to make, from time to time, the necessary arrangements to provide for working meals for the Committee and its Subcommittees and the cost of these meals be charged to the budget of the Committee.

On motion of Grant McNally, it was agreed, — That, unless otherwise ordered, each Committee member be allowed to have one (1) staff person present at *in camera* meetings.

On motion of Grant McNally, it was agreed, — That one (1) copy of the transcript of all *in camera* meetings be kept in the Committee Clerk's office for consultation by members of the Committee and be disposed of at the end of the session.

On motion of Grant McNally, it was agreed, — That, except for amendments to bills, forty-eight (48) hours' written notice be given before any substantive motion is considered by the Committee; and That the motion be filed with the Clerk of the Committee and circulated to members in both official



languages.

On motion of Joe Fontana, it was agreed, — That no more than ten (10) minutes be allocated to the Minister's presentation when his/her appearance will not exceed sixty (60) minutes.

On motion of James Rajotte, it was agreed, — That whenever the Main Estimates or the Supplementary Estimates are tabled in the House, the Committee invite the Minister and any relevant Senior Officials of a Department to appear at a meeting of the Committee, televised if possible.

On motion of James Rajotte, it was agreed, — That whenever a Chapter of a Report of the Auditor General refers to a subject under the mandate of the Committee, the Committee invite the Office of the Auditor General of Canada and any relevant Senior Officials of a Department to appear at a meeting of the Committee, televised if possible.

At 4:19 p.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2004/02/25 8:47 a.m.



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 3rd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Brent St. Denis, Lib.

**Meeting No. 2**

**Tuesday, February 24, 2004**

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**ORDER OF THE DAY:**

Study of Bill C-9, An Act to amend the Patent Act and the Food and Drugs Act

**APPEARING:**

Hon. Lucienne Robillard, Minister of Industry

Hon. Pierre Pettigrew, Minister of Health

**WITNESSES:**

*Canadian International Development Agency:*

Sandra Black, Director, Social Development Policies, Policy Branch;

David Maloney, Vice-President, Policy Branch.

*Department of Foreign Affairs:*

Marie Gervais-Vidricaire, Director General, Global Issues Bureau.

*Department of Health:*

David Lee, Director, Office of Patented Medicines and Liaison, Therapeutic Products  
Directorate, Health Products and Food Branch.

*Department of Industry:*

Marie-Josée Thivierge, Director General, Marketplace Framework Policy Branch.

*Department of International Trade:*

Suzanne Vinet, Director General, Trade Policy, Services, Investment and Intellectual  
Property Bureau.



## MINUTES OF PROCEEDINGS

Meeting No. 2

Friday, February 24, 2004

The Standing Committee on Industry, Science and Technology met in a televised session at 11:03 a.m. this day, in Room 100, Parliament Hill, Centre Block, the Chair, Brent St. Denis, presiding.

*Members of the Committee present:* Gérard Binet, Hon. David Collenette, Paul Crête, Hon. Joe Fontana, Cheryl Gallant, Gurbax Malhi, Brian Masse, Grant McNally, James Rajotte, Andy Savoy and Brent St. Denis.

*Guest Members present:* Gilbert Barrette for Marlene Jennings, Claude Duplain for Hon. Lyle Vancilief, Réal Ménard for Hon. Pierre Girard-Bujold and Diane St-Jacques for Hon. Herb Dhaliwal.

*Attendance: Library of Parliament:* Dan Shaw, Analyst; Lalita Acharya, Analyst.

*Chair:* Hon. Pierre Pettigrew, Minister of Health; Hon. Lucienne Robillard, Minister of Industry.

*Witnesses:* *Department of Industry:* Rob Sutherland-Brown, Senior Counsel, Legal Services, Justice Canada; Marie-Josée Gauthier, Director General, Marketplace Framework Policy Branch. *Department of Health:* David K. Lee, Director, Division of Patented Medicines and Liaison, Therapeutic Products Directorate, Health Products and Food Branch. *Canadian International Development Agency:* David Maloney, Vice-President, Policy Branch; Sandra Black, Director, International Development Policies. *Department of Foreign Affairs:* Marie Gervais-Vidricaire, Director General, Global Issues and International Trade. *Department of International Trade:* Suzanne Vinet, Director General, Trade Policy, Services, Investment and Intellectual Property Bureau.

Pursuant to the Order of Reference of Thursday, February 12, 2004, the Committee commenced consideration of Bill C-9, *An Act to amend the Patent Act and the Food and Drugs Act*.

The Chair called Clause 1.

Ministers made opening statements and, with the other witnesses, answered questions.

At 1:03 p.m., the sitting was suspended.

At 1:05 p.m., the sitting resumed.

Witnesses answered questions.

At 2:03 p.m., the sitting was suspended.

At 2:05 p.m., the Committee resumed sitting *in camera*.

The Committee proceeded to the consideration of matters related to Committee business.

The Committee agreed, — That the proposed schedule of witnesses for Bill C-9, *An Act to amend the Patent Act and the Food and Drugs Act*, be adopted.

The Committee agreed, — That additional meetings on Bill C-9, *An Act to amend the Patent Act and the Food and Drugs Act* be held, if necessary.



It was agreed, — That the Committee endeavour to commence clause-by-clause consideration of Bill C-9, *An Act to amend the Patent Act and the Food and Drugs Act* on Thursday, March 11, 2004.

The Chair presented the First Report from the Subcommittee on Agenda and Procedure which reads as follows:

The Sub-Committee on Agenda and Procedure of the Standing Committee on Industry, Science and Technology has the honour to present its FIRST REPORT.

Your Sub-Committee met on Thursday, February 19, 2004, and agreed to make the following recommendations:

1. That in relation to the Study of Bill C-9, *An Act to amend the Patent Act and the Food and Drugs Act*, an operational budget of \$12,200 be adopted and submitted to the Standing Committee.
2. That a motion adopted on February 16, 2004 by the Standing Committee be amended as follows: "That the Chair be authorized to hold meetings to receive and publish evidence when a quorum is not present provided that at least four (4) members are present including a member of the opposition".
3. That when the Chair is unable to act in that capacity at or during a meeting of the Committee, the Chair shall designate a member of the Committee to act as Chair at or during the said meeting and such acting Chair shall be vested with all the powers of the Chairman at or during the said meeting.
4. That meetings on Bill C-9, *An Act to amend the Patent Act and the Food and Drugs Act*, be held on Tuesdays, Wednesdays and Thursdays, and that they be televised, if possible.
5. That the analysts prepare a list of possible groups of witnesses for the study of Bill C-9, *An Act to amend the Patent Act and the Food and Drugs Act*.

It was agreed, — That the report be amended by increasing the operational budget of \$12,200 to \$30,200.

It was agreed, — That the report of the Subcommittee, as amended, be concurred in.

It was agreed, — That a meeting on the Supplementary Estimates (B) 2003-2004 be scheduled for Wednesday, February 25, 2004.

It was agreed, — That the Minister of Industry be invited to appear in relation to the Main Estimates 2004-2005 on Thursday, March 25, 2004.

It was agreed, — That the analysts seek advice from the Law Clerk on the issue of draft regulations.

At 1:44 p.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2004/03/01 2:03 p.m.

HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 3rd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Brent St. Denis, Lib.

**Meeting No. 3**

**Wednesday, February 25, 2004**

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**ORDER OF THE DAY:**

Study of Supplementary Estimates (B) 2003-2004: Votes 1b, 5b, 20b, 30b, 40b, 45b, 50b, 55b, 60b, 65b, 75b, 80b, 85b, 90b, 95b, 100b, 110b, 125b, 130b and 135b, under INDUSTRY

**Televised Meeting**

**WITNESSES:**

*Atlantic Canada Opportunities Agency:*

Peter Estey, Vice-President, Finance and Corporate Services.

*Canadian Space Agency:*

Mike Taylor, Director, Government Liaison Office.

*Canadian Tourism Commission:*

Karin Zabel, Vice-President, Chief Financial Officer.

*Department of Industry:*

Michael Nelson, Assistant Deputy Minister, Comptrollership and Administration,  
Comptrollership and Administration Sector.

*Economic Development Agency of Canada for the Regions of Quebec:*

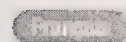
Pierre Bordeleau, Director General, Human Resources, Finance and Administration;

Manon Brassard, Acting Assistant Deputy Minister, Operations.

*National Research Council of Canada:*

Michael Raymont, Vice-President, Technology and Industry Support.





## MINUTES OF PROCEEDINGS

Meeting No. 3

Wednesday, February 25, 2004

The Standing Committee on Industry, Science and Technology met in a televised session at 3:30 p.m. this day, in Room 237-C Centre Block, the Chair, Brent St. Denis, presiding.

*Members of the Committee present:* Gérard Binet, Paul Crête, Hon. Joe Fontana, Cheryl Gallant, Hon. Gurbax Malhi, Grant McNally, James Rajotte, Andy Savoy, Brent St. Denis and Hon. Lyle Vanclief.

*Acting Members present:* Hon. Shawn Murphy for Hon. Herb Dhaliwal and Massimo Pacetti for Marlene Jennings.

*In attendance: Library of Parliament:* Lalita Acharya, Analyst; Dan Shaw, Analyst.

*Witnesses: Department of Industry:* Michael Nelson, Assistant Deputy Minister, Comptrollership and Administration, Comptrollership and Administration Sector; Jerry Beausoleil, Acting Senior Assistant Deputy Minister, Policy Sector. *National Research Council Canada:* Michael Raymont, Vice-President, Technology and Industry Support. *Atlantic Canada Opportunities Agency:* Peter Estey, Vice-President, Finance and Corporate Services. *Canadian Tourism Commission:* Karin Zabel, Vice-President, Chief Financial Officer. *Canadian Space Agency:* Mike Taylor, Director, Government Liaison Office. *Economic Development Agency of Canada for the Regions of Quebec:* Manon Brassard, Acting Assistant Deputy Minister, Operations; Pierre Bordeleau, Director General, Human Resources, Finance and Administration.

Pursuant to Standing Order 81(5), the Committee commenced consideration of the Supplementary Estimates (B) 2003-2004: Votes 1b, 5b, 20b, 30b, 40b, 45b, 50b, 55b, 60b, 65b, 75b, 80b, 85b, 90b, 95b, 100b, 110b, 125b, 130b and 135b, under INDUSTRY referred to the Committee on Thursday, February 19, 2004.

The Chair called Vote 1b under INDUSTRY.

The witnesses made statements and answered questions.

By unanimous consent, Votes 1b, 5b, 20b, 30b, 40b, 45b, 50b, 55b, 60b, 65b, 75b, 80b, 85b, 90b, 95b, 100b, 110b, 125b, 130b and 135b, under INDUSTRY carried on division.

On motion of Joe Fontana, it was agreed, — That the documents received in relation to Bill C-9 (former Bill C-56), *An Act to amend the Patent Act and the Food and Drugs Act*, during the second session of the 37th Parliament be deemed adduced by the Committee in the current session.

At 4:59 p.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2004/03/01 2:03 p.m.

HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 3rd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Brent St. Denis, Lib.

**Meeting No. 4**

**Thursday, February 26, 2004**

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**ORDER OF THE DAY:**

Study of Bill C-9, An Act to amend the Patent Act and the Food and Drugs Act

**WITNESSES:**

*Canada's Research-Based Pharmaceutical Companies:*

Jean-François Leprince, President, Aventis Pharma;

Terry McCool, Vice-President, Corporate Affairs, Eli Lilly Canada Inc..

*Canadian Generic Pharmaceutical Association:*

Jim Keon, President;

David Windross, Vice-President, Government and Professional Affairs, Novopharm Limited.

*Canadian HIV/AIDS Legal Network:*

Richard Elliott, Director, Policy and Legal Research.

*CARE Canada:*

Michelle Munro, Policy and Programs Advisor, HIV/AIDS and Health.

*Doctors Without Borders:*

Virginia Gularte, Doctor, MSF Guatemala;

Rachel Kiddell-Monroe, Coordinator (Canada) Access to Essential Medicines Campaign.

*Interagency Coalition on AIDS and Development:*

Michael O'Connor, Executive Director.

*Oxfam Canada:*

Mark Fried, Communications and Advocacy Coordinator.



## MINUTES OF PROCEEDINGS

Sitting No. 4

Thursday, February 26, 2004

The Standing Committee on Industry, Science and Technology met in a televised session at 9:31 a.m. this day, in Room D Centre Block, the Chair, Brent St. Denis, presiding.

*Members of the Committee present:* Paul Crête, Hon. Joe Fontana, Cheryl Gallant, Hon. Gurbax Malhi, Grant McNally, Les Rajotte, Carol Skelton, Brent St. Denis and Hon. Lyle Vanclief.

*Guest Members present:* Alexa McDonough for Brian Masse, Réal Ménard for Jocelyne Girard-Bujold and Paddy Kennedy for Marlene Jennings.

*Attendance: Library of Parliament:* Lalita Acharya, Analyst; Dan Shaw, Analyst; Kristen Douglas, Analyst.

*Witnesses:* *Canada's Research-Based Pharmaceutical Companies (Rx&D):* Jean-François Leprince, President, Aventis; Terry McCool, Vice-President, Corporate Affairs, Eli Lilly Canada Inc. *Canadian Generic Pharmaceutical Association:* Jim Keon, President; David Windross, Vice-President, Government and Professional Affairs, Novopharm Ltd. *Doctors Without Borders:* Rachel Kiddell-Monroe, Coordinator (Canada) Access to Essential Medicines Campaign; Virginia Gualarte, Medical Doctor, MSF Guatemala. *Oxfam Canada:* Mark Fried, Communications and Policy Coordinator. *Canadian HIV/AIDS Legal Network:* Richard Elliott, Director, Policy and Legal Research. *Agency Coalition on AIDS and Development:* Michael O'Connor, Executive Director. *CARE Canada:* Michelle O'Connor, Policy and Programs Advisor, HIV/AIDS and Health.

Pursuant to the Order of Reference of Thursday, February 12, 2004, the Committee resumed consideration of Bill C-9, *An Act to amend the Patent Act and the Food and Drugs Act*.

Witnesses made statements and answered questions.

At 1:04 a.m., the sitting was suspended.

At 1:10 a.m., the sitting resumed.

Witnesses made statements and answered questions.

At 2:33 p.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2003/01 2:32 p.m.





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 3rd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Brent St. Denis, Lib.

**Meeting No. 5**

**Tuesday, March 9, 2004**

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**ORDER OF THE DAY:**

Study of Bill C-9, An Act to amend the Patent Act and the Food and Drugs Act

**Televised Meeting**

**WITNESSES:**

*Canada-Africa Community Health Alliance::*

Don Kilby, Doctor and Chairman.

*Canadian Council for International Cooperation:*

Gauri Sreenivasan, Policy Coordinator.

*Intellectual Property Institute of Canada:*

Carol Hitchman, President;

Patrick Smith, Chair, Patent Legislation Committee.

*International Centre for Human Rights and Democratic Development:*

Jean-Louis Roy, President, Rights and Democracy.

*McGill University:*

Srinivas Murthy, General Executive, Students Against Global AIDS; Co-ordinator, McGill International Health Initiative.

*North-South Institute:*

Chantal Blouin, Researcher, Trade and Development.

*United Church of Canada:*

John Dillon, Coordinator, Global Economic Justice Program, KAIROS;

Anivaldo Padilha, Secretary of Planning and Cooperation of Koinonia, Brazil;

Jim Sinclair, Reverend and General Secretary.





## MINUTES OF PROCEEDINGS

Meeting No. 5

Tuesday, March 9, 2004

The Standing Committee on Industry, Science and Technology met in a televised session at 11:30 a.m. this day, in Room 253-D Centre Block, the Chair, Brent St. Denis, presiding.

*Members of the Committee present:* Hon. David Collenette, Paul Crête, Hon. Joe Fontana, Cheryl Gallant, Marlene Jennings, Hon. Gurbax Malhi, Brian Masse, James Rajotte, Andy Savoy, Brent St. Denis and Hon. Lyle Vanclief.

*Acting Members present:* Paddy Torsney for Gérard Binet.

*In attendance: Library of Parliament:* Lalita Acharya, Analyst; Kristen Douglas, Analyst; Dan Shaw, Analyst.

*Witnesses: Intellectual Property Institute of Canada:* Carol Hitchman, President; Patrick Smith, Chair, Patent Legislation Committee. *North-South Institute:* Chantal Blouin, Researcher, Trade and Development. *Rights and Democracy (International Centre for Human Rights and Democratic Development):* Jean-Louis Roy, President. *Canadian Council for International Cooperation:* Gauri Sreenivasan, Policy Coordinator. *Canada-Africa Community Health Alliance:* Don Kilby, Chairman. *McGill University:* Srinivas Murthy, Co-ordinator, McGill International Health Initiative, General Executive, Students Against Global AIDS. *United Church of Canada:* Jim Sinclair, General Secretary; John R. Dillon, Coordinator, Global Economic Justice Program, Kairos; Anivaldo Padilha, Secretary of Planning and Cooperation of Koinonia, Brazil.

Pursuant to the Order of Reference of Thursday, February 12, 2004, the Committee resumed consideration of Bill C-9, An Act to amend the Patent Act and the Food and Drugs Act.

The witnesses made statements and answered questions.

At 12:34 p.m., the sitting was suspended.

At 12:40 p.m., the sitting resumed.

The witnesses made statements and answered questions.

At 1:45p.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2004/03/12 4:57 p.m.

HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 3rd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Brent St. Denis, Lib.

**Meeting No. 6**

**Wednesday, March 10, 2004**

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**ORDER OF THE DAY:**

Study of Bill C-9, An Act to amend the Patent Act and the Food and Drugs Act

**Televised Meeting**

**WITNESSES:**

*Canada-Africa Partnership on AIDS:*

Kevin Perkins, Executive Director.

*Health Partners International of Canada:*

John Kelsall, President.

*World Vision Canada:*

Dave Toycen, President.

*As Individual:*

Frederick Abbott, Edward Ball Eminent Scholar, Professor of International Law, Florida  
State University College of Law.





## MINUTES OF PROCEEDINGS

Meeting No. 6

Wednesday, March 10, 2004

The Standing Committee on Industry, Science and Technology met in a televised session at 4:03 p.m. this day, in Room 253-D Centre Block, the Chair, Brent St. Denis, presiding.

*Members of the Committee present:* Paul Crête, Hon. Joe Fontana, Cheryl Gallant, Marlene Jennings, Brian Masse, Grant McNally, James Rajotte, Andy Savoy, Brent St. Denis and Hon. Lyle Vanclief.

*In attendance: Library of Parliament:* Kristen Douglas, Analyst; Lalita Acharya, Analyst.

*Witnesses: As an Individual:* Frederick M. Abbott, Edward Ball Eminent Scholar, Professor of International Law, Florida State University College of Law. *Health Partners International of Canada:* John P. Kelsall, President. *Canada-Africa Partnership on AIDS:* Kevin Perkins, Executive Director. *World Vision Canada:* Dave Toycen, President.

Pursuant to the Order of Reference of Thursday, February 12, 2004, the Committee resumed consideration of Bill C-9, An Act to amend the Patent Act and the Food and Drugs Act.

The witnesses made statements and answered questions.

At 5:18 p.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2004/03/18 11:38 a.m.



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 3rd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Brent St-Denis, Lib.

**Meeting No. 7**

**Thursday, March 11, 2004**

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**IN CAMERA**





## MINUTES OF PROCEEDINGS

eting No. 7

rsday, March 11, 2004

Standing Committee on Industry, Science and Technology met *in camera* at 11:08 a.m. this day, in Room 308 West  
ck, the Chair, Brent St. Denis, presiding.

*Members of the Committee present:* Paul Crête, Hon. Joe Fontana, Hon. Gurbax Malhi, Brian Masse, Grant McNally,  
es Rajotte, Brent St. Denis and Hon. Lyle Vanclief.

*Attendance: Library of Parliament:* Lalita Acharya, Analyst; Kristen Douglas, Analyst. *House of Commons:* Joann  
big, Legislative Clerk.

*Guests:* *Department of Industry:* Marie-Josée Thivierge, Director General, Marketplace Framework Policy Branch;  
Dagenais, Acting Director, Patent Policy. *Department of Health:* David K. Lee, Director, Office of Patented  
licines and Liaison, Therapeutic Products Directorate, Health Products and Food Branch. *Canadian International  
elopment Agency:* Sandra Black, Director, Social Development Policies, Policy Branch. *Department of International  
de:* Suzanne Vinet, Director General, Trade Policy, Services, Investment and Intellectual Property Bureau.

uant to the Order of Reference of Thursday, February 12, 2004, the Committee resumed consideration of Bill C-9,  
Act to amend the Patent Act and the Food and Drugs Act.

witnesses answered questions.

Committee proceeded to the consideration of matters related to Committee business.

as agreed, — That the members of the Committee submit to the Clerk of the Committee all of their proposed  
ndments to Bill C-9, An Act to amend the Patent Act and the Food and Drugs Act, no later than 12:00 p.m. on  
rsday, March 18, 2004.

:05 p.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

4/03/18 3:16 p.m.



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 3rd SESSION

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**MINUTES OF PROCEEDINGS**

Standing Committee  
on

**INDUSTRY, SCIENCE AND TECHNOLOGY**

Chair: Brent St-Denis, Lib.

**Meeting No. 8**

**Tuesday, March 23, 2004**

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**IN CAMERA**



## MINUTES OF PROCEEDINGS

Meeting No. 8

Tuesday, March 23, 2004

The Standing Committee on Industry, Science and Technology met *in camera* at 11:05 a.m. this day, in Room 705 La Menade Building, the Chair, Brent St. Denis, presiding.

*Members of the Committee present:* Gérard Binet, Paul Crête, Hon. Joe Fontana, Hon. Gurbax Malhi, Brian Masse, Grant Nally, James Rajotte, Carol Skelton, Brent St. Denis and Hon. Lyle Vanclief.

*Attendance: Library of Parliament:* Lalita Acharya, Analyst; Dan Shaw, Analyst.

The Committee proceeded to the consideration of matters related to Committee business.

It was agreed, — That the members of the Committee submit electronically to the Clerk of the Committee all of their proposed amendments to Bill C-9 no later than 12:00 p.m. on Wednesday, March 24, 2004, and that the Government amendments be circulated electronically to members of the Committee.

It was agreed, — That the clause-by-clause consideration of Bill C-9 take place as planned on Thursday, March 25, 2004; that, if necessary, it resume on Tuesday, March 30, 2004; and that, if the clause-by-clause consideration of Bill C-9 is completed, departmental officials be invited to give the Committee a briefing on Bill C-2, An Act to amend the Telecommunications Act, on Tuesday, March 30, 2004.

It was agreed, — That the Minister of Industry be invited to appear on the Main Estimates on Thursday, April 1<sup>st</sup>, 2004.

It was agreed, — That, if the Government provides an answer on this day, no meeting be held on the failure of the Ministry to respond to James Rajotte's written question Q-20 which was deemed referred to the Committee on Monday, March 22, 2004, pursuant to Standing Order 39(5)(b).

It was agreed, — That pursuant to Standing Orders 110 and 111, the following witness: Ms. Michele M. McKenzie, President of the Canadian Tourism Commission, be invited to appear before the Committee at the first opportunity.

It was agreed, — That pursuant to Standing Orders 110 and 111, the following witness: Mr. Sheridan Scott, Commissioner of Competition, be invited to appear before the Committee at the first opportunity.

It was agreed, — That, pursuant to Standing Order 108(2), the Committee undertake a study on the impact of international competition on Canada's manufacturing industry; that, at the first opportunity, a meeting be scheduled with officials from the Department of Industry; and that a workplan for this study be prepared by the analysts.

At 11:58 a.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2004/03/25 10:13 a.m.



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 3rd SESSION

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**MINUTES OF PROCEEDINGS**

**STANDING COMMITTEE ON INDUSTRY, SCIENCE AND  
TECHNOLOGY**

Chair: Brent St. Denis.

**Meeting No. 9**

**Thursday, April 1, 2004**

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**ORDER OF THE DAY:**

Pursuant to Standing Order 81(4), the Committee [commenced / resumed] consideration of the Main Estimates 2004-2005: Votes 1, 5, 10, L15, L20, 25, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100 and 105; Atlantic Canada Opportunities Agency, Votes 1, 5 and 10; Western Economic Diversification, Votes 1 and 5 under INDUSTRY referred to the Committee on Tuesday, February 24, 2004.

**MEMBERS OF THE COMMITTEE PRESENT:**

Gérard Binet,  
Paul Crête,  
Hon. Joe Fontana,  
Cheryl Gallant,  
Hon. Gurbax Malhi,  
Brian Masse,  
James Rajotte,  
Brent St. Denis  
and Hon. Lyle Vancilief.

**ACTING MEMBERS PRESENT:**

Hon. Mark Eyking for Hon. David Collenette,  
Christian Jobin for Hon. Herb Dhaliwal,  
and Karen Redman for Marlene Jennings.

**IN ATTENDANCE:**



*Library of Parliament:*

Lalita Acharya, Analyst;  
Dan Shaw, Analyst.

**APPEARING:**

Hon. Lucienne Robillard, Minister of Industry.

**WITNESSES:**

*Department of Industry:*

Jean-Claude Villiard, Deputy Minister;  
John Appleby, Acting Director, Marine, Energy Directorate,  
Energy and Marine Branch, Industry Sector;  
Jeffrey Parker, Executive Director, Technology Partnerships  
Canada;  
John McBride, Assistant Deputy Minister, Operations;  
Michael Jenkin, Director General, Office of Consumer Affairs.

*Economic Development Agency of Canada for the Regions of Quebec:*

Marc Lafrenière, Deputy Minister.

*Statistics Canada:*

Mike Sheridan, Assistant Chief Statistician, Social, Institutions and  
Labour Statistics.

*National Research Council Canada:*

Dr. Richard Normandin, Vice-President, Research (Physical  
Sciences and Engineering).

*Canadian Space Agency:*

Pierre Richard, Senior Vice-President, Executive Office.

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Louise M. Thibault  
Clerk of the Committee





## MINUTES OF PROCEEDINGS

Meeting No. 9

Thursday, April 1, 2004

The Standing Committee on Industry, Science and Technology met in a televised session at 11:07 a.m. this day, in Room 253-D Centre Block, the Chair, Brent St. Denis, presiding.

*Members of the Committee present:* Gérard Binet, Paul Crête, Hon. Joe Fontana, Cheryl Gallant, Hon. Gurbax Malhi, Brian Masse, James Rajotte, Brent St. Denis and Hon. Lyle Vancilief.

*Attending Members present:* Hon. Mark Eyking for Hon. David Collenette, Christian Jobin for Hon. Herb Dhaliwal and Len Redman for Marlene Jennings.

*Attendance:* Library of Parliament: Lalita Acharya, Analyst; Dan Shaw, Analyst.

*Participating:* Hon. Lucienne Robillard, Minister of Industry.

*Witnesses:* Department of Industry: Jean-Claude Villiard, Deputy Minister; John Appleby, Acting Director Marine, Energy Directorate, Energy and Marine Branch, Industry Sector; Jeffrey Parker, Executive Director, Technology Partnerships Canada; John McBride, Assistant Deputy Minister, Operations; Michael Jenkin, Director General, Office of Consumer Affairs. Economic Development Agency of Canada for the Regions of Quebec: Marc Lafrenière, Deputy Minister. Statistics Canada: Mike Sheridan, Assistant Chief Statistician, Social, Institutions and Labour Statistics. National Research Council Canada: Dr. Richard Normandin, Vice-President, Research (Physical Sciences and Engineering). Canadian Space Agency: Pierre Richard, Senior Vice-President, Executive Office.

Pursuant to Standing Order 81(4), the Committee commenced consideration of the Main Estimates 2004-2005: Votes 1, 10, L15, L20, 25, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100 and 105 under INDUSTRY referred to the Committee on Tuesday, February 24, 2004.

The Chair called Vote 1 under INDUSTRY.

The Minister made a statement and, with the other witnesses, answered questions.

At 1:11 p.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2004/04/06 10:39 a.m.



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 3rd SESSION

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**MINUTES OF PROCEEDINGS**  
**STANDING COMMITTEE ON INDUSTRY, SCIENCE AND  
TECHNOLOGY**

Chair: Brent St. Denis, Lib.

**Meeting No. 10**

**Tuesday, April 20, 2004**

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**ORDER OF THE DAY:**

Pursuant to the Order of Reference of Thursday, February 12, 2004, the Committee commenced consideration of Bill C-9, An Act to amend the Patent Act and the Food and Drugs Act

**MEMBERS OF THE COMMITTEE PRESENT:**

Gérard Binet  
Hon. David Collenette  
Paul Crête  
Hon. Joe Fontana  
Cheryl Gallant  
Marlene Jennings  
Hon. Gurbax Malhi  
Brian Masse  
Grant McNally  
James Rajotte  
Andy Savoy  
Carol Skelton  
Brent St. Denis  
Hon. Lyle Vanclief

**ACTING MEMBERS PRESENT:**

Roy Cullen for Hon. Gurbax Malhi  
Sébastien Gagnon for Jocelyne Girard-Bujold  
Christian Jobin for Gérard Binet  
Paul Harold Macklin for Andy Savoy,  
Hon. David Price for Hon. Herb Dhaliwal

**IN ATTENDANCE:**

*Library of Parliament*

Lalita Acharya, Analyst;  
Dan Shaw, Analyst;  
Kristen Douglas, Analyst.

*House of Commons:*

Joann Garbig, Legislative Clerk;  
Jean-Michel Roy, Legislative Clerk.

**WITNESSES:**

*Department of Industry:*

Susan Bincoletto, Acting Director General, Marketplace Framework Policy Branch;  
Éric Dagenais, Acting Director, Patent Policy Directorate;  
Rob Sutherland-Brown, Senior Counsel, Legal Services, Justice Canada;  
Douglas Clark, Acting Senior Project Leader.

*Department of Health:*

Robert Peterson, Director General, Therapeutic Products Directorate, Health Products and Food Branch;  
David K. Lee, Director, Office of Patented Medicines and Liaison, Therapeutic Products Directorate, Health Products and Food Branch.

*Department of International Trade:*

Suzanne Vinet, Director General, Trade Policy, Services, Investment and Intellectual Property Bureau;  
John Drummond, Deputy Director, Intellectual Property, Information and Technology Trade Policy Division.

*Department of Foreign Affairs:*

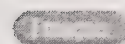
Marie Gervais-Vidricaire, Director General, Global Issues Bureau;  
Christopher Armstrong, Senior Advisor, HIV/AIDS.

*Canadian International Development Agency:*

Sandra Black, Director, Social Development Policies, Policy Branch.

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Louise M. Thibault  
Clerk of the Committee



## MINUTES OF PROCEEDINGS

Meeting No. 10

Tuesday, April 20, 2004

The Standing Committee on Industry, Science and Technology met at 11:09 a.m. this day, in Room 308 West Block, the Chair, Brent St. Denis, presiding.

*Members of the Committee present:* Gérard Binet, Hon. David Collenette, Paul Crête, Hon. Joe Fontana, Cheryl Gallant, Marlene Jennings, Hon. Gurbax Malhi, Brian Masse, Grant McNally, James Rajotte, Andy Savoy, Carol Skelton, Brent St. Denis and Hon. Lyle Vanclief.

*Acting Members present:* Roy Cullen for Hon. Gurbax Malhi, Sébastien Gagnon for Jocelyne Girard-Bujold, Christian Jobin for Gérard Binet, Paul Harold Macklin for Andy Savoy and Hon. David Price for Hon. Herb Dhaliwal.

*In attendance: Library of Parliament:* Lalita Acharya, Analyst; Dan Shaw, Analyst; Kristen Douglas, Analyst. *House of Commons:* Joann Garbig, Legislative Clerk; Jean-Michel Roy, Legislative Clerk.

*Witnesses: Department of Industry:* Susan Bincoletto, Acting Director General, Marketplace Framework Policy Branch; Éric Dagenais, Acting Director, Patent Policy Directorate; Rob Sutherland-Brown, Senior Counsel, Legal Services, Justice Canada; Douglas Clark, Senior Project Leader. *Department of Health:* Robert Peterson, Director General, Therapeutic Products Directorate, Health Products and Food Branch; David K. Lee, Director, Office of Patented Medicines and Liaison, Therapeutic Products Directorate, Health Products and Food Branch. *Department of International Trade:* Suzanne Vinet, Director General, Trade Policy, Services, Investment and Intellectual Property Bureau; John Drummond, Deputy Director, Intellectual Property, Information and Technology Trade Policy Division. *Department of Foreign Affairs:* Marie Gervais-Vidricaire, Director General, Global Issues Bureau; Christopher Armstrong, Senior Advisor, HIV/AIDS. *Canadian International Development Agency:* Sandra Black, Director, Social Development Policies, Policy Branch.

Pursuant to the Order of Reference of Thursday, February 12, 2004, the Committee resumed consideration of Bill C-9, An Act to amend the Patent Act and the Food and Drugs Act.

The Committee commenced its clause-by-clause study of the Bill.

The Chair called Clause 1.

The witnesses answered questions.

On Clause 1,

James Rajotte moved, — That Bill C-9, in Clause 1, be amended by replacing line 8 on page 1 with the following:

“products to address public health emergencies”



After debate, by unanimous consent, the amendment was withdrawn.

Brian Masse moved, — That Bill C-9, in Clause 1, be amended by replacing line 12 on page 1 with the following:

“other epidemics, by enabling countries with insufficient or no manufacturing capacities in the pharmaceutical sector to make effective use of compulsory licensing.”

After debate, the question was put on the amendment of Brian Masse and it was negated.

Joe Fontana moved, — That Bill C-9, in Clause 1, be amended by replacing line 14 on page 1 with the following:

“in this section and in sections 21.03 to 21.19.”

After debate, the question was put on the amendment of Joe Fontana and it was agreed to.

By unanimous consent, the amendment was allowed to stand.

On motion of Joe Fontana, it was agreed, — That Bill C-9, in Clause 1, be amended by replacing lines 15 to 18 on page 1 with the following:

““authorization” means an authorization granted under subsection 21.04(1), and includes an authorization renewed under subsection 21.12(1).”

Brian Masse moved, — That Bill C-9, in Clause 1, be amended by replacing lines 6 to 9 on page 2 with the following:

“ented product of the pharmaceutical sector, or any product of the pharmaceutical sector that is manufactured through a patented process, that is needed to address a public health problem, and includes all ingredients that are needed to manufacture the product and all diagnostic kits that are needed to use the product.”

After debate, by unanimous consent, the amendment was withdrawn.

Brian Masse moved, — That Bill C-9, in Clause 1, be amended by replacing line 9 on page 2 with the following:

“Schedule in relation to the product, and further includes any product and its corresponding dosage form, strength and route of administration that

( a ) appears on the Model List of Essential Medicines, as amended from time to time, prepared by the World Health Organization, or has been pre-qualified by the World Health Organization as meeting that Organization's quality and safety standards,

( b ) appears on the national list of essential medicines of the country or WTO Member to which the product is to be exported under an authorization, or

( c ) the government of the country or WTO Member to which the product is to be exported under an

authorization has stated in writing, to either the TRIPS Council or the Government of Canada through diplomatic channels, that it wishes to obtain the product in order to address a public health problem in that country or WTO Member.”

After debate, the question was put on the amendment of Brian Masse and it was negatived.

On motion of Joe Fontana, it was agreed, — That Bill C-9, in Clause 1, be amended by replacing, in the French version, line 22 on page 2 with the following:

“gique et selon la concentration et la voie d'adminis-”

Joe Fontana moved, — That Bill C-9, in Clause 1, be amended by

(a) by replacing lines 22 to 27 on page 2 with the following:

“ **21.03 ( 1 )** The Governor in Council may, by order,

( a ) on the recommendation of the Minister and the Minister of Health, amend Schedule 1

(i) by adding the name of any patented product that may be used to address public health problems afflicting many developing and least-developed countries, especially those”

(b) replacing line 37 on page 2 with the following:

“ ( b ) on the recommendation of the Minister of Foreign Affairs, the Minister for International Trade and the Minister for International Cooperation, amend Schedule 2 by adding the name of any”

(c) replacing lines 6 to 11 on page 3 with the following:

“ stating that the country intends to import pharmaceutical products, as defined in paragraph 1( a ) of the General Council Decision, that it agrees that those products will not be used for commercial purposes and that it undertakes to adopt the measures referred to in Article 4 of that decision;

( c ) on the recommendation of the Minister of Foreign Affairs, the Minister for International Trade and the Minister for International Cooperation, amend Schedule 3 by adding the name of any”

(d) replacing lines 19 to 26 on page 3 with the following:

“ ( d ) on the recommendation of the Minister of Foreign Affairs, the Minister for International Trade and the Minister for International Cooperation, amend Schedule 4 by adding the name of

(i) any WTO Member not listed in Schedule 2 or 3 that has provided the TRIPS Council with a notice in writing stating that the WTO Member intends to import, in accordance with the General Council Decision, pharmaceutical products, as defined in paragraph 1( a ) of that decision, or

(ii) any country that is not a WTO Member and that is named on the Organization for Economic Co-operation and Development's list of countries that are eligible for official development assistance and that has provided the Government of Canada with a notice in writing through diplomatic channels

(A) stating that it is faced with a national emergency or other circumstances of extreme urgency,

(B) specifying the name of the pharmaceutical product, as defined in paragraph 1( a ) of the General Council Decision, and the quantity of that product, needed by the country to deal with the emergency or other urgency,

(C) stating that it has no, or insufficient, pharmaceutical capacity to manufacture that product, and

(D) stating that it agrees that that product will not be used for commercial purposes and that it undertakes to adopt the measures referred to in Article 4 of the General Council Decision.”

(e) replacing line 36 on page 3 with the following:

“on the recommendation of the Minister of Foreign Affairs, the Minister for International Trade and the Minister for International Cooperation, amend any of Schedules 2 to 4 to remove the”

Brian Masse moved, — That the amendment be amended by adding the words “in the prescribed form “after each phrase” “on the recommendation” in sections ( a ), ( b ), ( c ), ( d ), and ( e ).

After debate, the question was put on the subamendment of Brian Masse and it was negatived.

After debate, the question was put on the amendment of Joe Fontana and it was agreed to.

Joe Fontana moved, — That Bill C-9, in Clause 1, be amended by replacing line 42 on page 3 with the following:

“ country or, in the case of a country that is not a WTO Member, the country has permitted any product imported into that country under an authorization to be used for commercial purposes or has failed to adopt the measures referred to in Article 4 of the General Council Decision;”

After debate, the question was put on the amendment of Joe Fontana and it was agreed to.

Joe Fontana moved, — That Bill C-9, in Clause 1, be amended by replacing lines 5 to 18 on page 4 with the following:

“( c ) in the case of a WTO Member listed in Schedule 4, the WTO Member has revoked any notification it has given to the TRIPS Council that it will import pharmaceutical products, as defined in paragraph 1(a) of the General Council Decision, only if faced with a national emergency or other circumstances of extreme urgency;

( d ) in the case of a country listed in Schedule 4 that is not a WTO Member,

(i) the name of the country is no longer on the Organization for Economic Co-operation and Development's list of countries that are eligible for official development assistance,

(ii) the country no longer faces a national emergency or other circumstances of extreme urgency,

(iii) the country has permitted any product imported into that country under an authorization to be used for commercial purposes, or

(iv) the country has failed to adopt the measures referred to in Article 4 of the General Council Decision;



( e ) in the case of any country or WTO Member listed in Schedule 3 or 4, the country or WTO Member has become recognized by the United Nations as a least-developed country; and

( f ) in the case of any country or WTO Member listed in any of Schedules 2 to 4, the country has notified the Government of Canada, or the WTO Member has notified the TRIPS Council, that it will not import pharmaceutical products, as defined in paragraph 1( a ) of the General Council Decision.”

After debate, the question was put on the amendment of Joe Fontana and it was agreed to.

James Rajotte moved, — That Bill C-9, in Clause 1, be amended by adding after line 18 on page 4 the following:

“(4) An order under this section shall be made in a timely manner.”

After debate, the question was put on the amendment of James Rajotte and it was agreed to.

Marlene Jennings moved, — That Bill C-9, in Clause 21.04 (1)(a) be amended by deleting on line 19 on page 4 the words “apply for an authorization under subsection 21.05 (1) ” and replacing it with “to negotiate with an importing country to supply a pharmaceutical product”.

After debate, by unanimous consent, the amendment was withdrawn.

Joe Fontana moved, — That Bill C-9, in Clause 1, be amended by replacing line 19 on page 4 to line 23 on page 11 with the following:

“ **21.04** (1) Subject to subsection (3), the Commissioner shall, on the application of any person and on the payment of the prescribed fee, authorize the person to make, construct and use a patented invention solely for purposes directly related to the manufacture of the pharmaceutical product named in the application and to sell it for export to a country or WTO Member that is listed in any of Schedules 2 to 4 and that is named in the application.

(2) The application must be in the prescribed form and set out

( a ) the name of the pharmaceutical product to be manufactured and sold for export under the authorization;

( b ) prescribed information in respect of the version of the pharmaceutical product to be manufactured and sold for export under the authorization;

( c ) the maximum quantity of the pharmaceutical product to be manufactured and sold for export under the authorization;

( d ) for each patented invention to which the application relates, the name of the patentee of the invention and the number, as recorded in the Patent Office, of the patent issued in respect of that invention;

( e ) the name of the country or WTO Member to which the pharmaceutical product is to be exported;

( f ) the name of the person or entity to which the product is to be sold, and prescribed information, if any, concerning that person or entity; and

( g ) any other information that may be prescribed.

(3) The Commissioner shall authorize the use of the patented invention only if

( a ) the applicant has complied with the prescribed requirements, if any;

( b ) the Minister of Health has notified the Commissioner that the version of the pharmaceutical product that is named in the application meets the requirements of the *Food and Drugs Act* and its regulations, including the requirements under those regulations relating to the marking, embossing, labelling and packaging that identify that version of the product as having been manufactured

(i) in Canada as permitted by the General Council Decision, and

(ii) in a manner that distinguishes it from the version of the pharmaceutical product sold in Canada by, or with the consent of, the patentee or patentees, as the case may be;

( c ) the applicant provides the Commissioner with a solemn or statutory declaration in the prescribed form stating that the applicant had, within the prescribed time before filing the application,

(i) sought from the patentee or, if there is more than one, from each of the patentees a licence to manufacture and sell the pharmaceutical product for export to the country or WTO Member named in the application, and

(ii) provided the patentee, or each of the patentees, as the case may be, with information that is in all material respects identical to the information referred to in paragraphs (2)( a ) to ( g ); and

( d ) the applicant also provides the Commissioner with

(i) if the application relates to a WTO Member listed in Schedule 2, a certified copy of the notice in writing that the WTO Member has provided to the TRIPS Council specifying the name of the pharmaceutical product, as defined in paragraph 1( a ) of the General Council Decision, and the quantity of that product, needed by the WTO Member, and

(A) a solemn or statutory declaration in the prescribed form by the person filing the application stating that the product to which the application relates is the product specified in the notice and that the product is not patented in that WTO Member, or

(B) a solemn or statutory declaration in the prescribed form by the person filing the application stating that the product to which the application relates is the product specified in the notice and a certified copy of the notice in writing that the WTO Member has provided to the TRIPS Council confirming that the WTO Member has, in accordance with Article 31 of the TRIPS Agreement and the provisions of the General Council Decision, granted or intends to grant a compulsory licence to use the invention pertaining to the product,

(ii) if the application relates to a country listed in Schedule 2 that is not a WTO Member, a certified copy of the notice in writing that the country has provided to the Government of Canada through diplomatic channels specifying the name of the pharmaceutical product, as defined in paragraph 1( a ) of the General Council Decision, and the quantity of that product, needed by the country, and

(A) a solemn or statutory declaration in the prescribed form by the person filing the application stating



that the product to which the application relates is the product specified in the notice and that the product is not patented in that country, or

(B) a solemn or statutory declaration in the prescribed form by the person filing the application stating that the product to which the application relates is the product specified in the notice and a certified copy of the notice in writing that the country has provided to the Government of Canada through diplomatic channels confirming that the country has granted or intends to grant a compulsory licence to use the invention pertaining to the product,

(iii) if the application relates to a WTO Member listed in Schedule 3, a certified copy of the notice in writing that the WTO Member has provided to the TRIPS Council specifying the name of the pharmaceutical product, as defined in paragraph 1( a ) of the General Council Decision, and the quantity of that product, needed by the WTO Member, and stating that the WTO Member has insufficient or no pharmaceutical manufacturing capacity for the production of the product to which the application relates, and

(A) a solemn or statutory declaration in the prescribed form by the person filing the application stating that the product to which the application relates is not patented in that WTO Member, or

(B) a certified copy of the notice in writing that the WTO Member has provided to the TRIPS Council confirming that the WTO Member has, in accordance with Article 31 of the TRIPS Agreement and the provisions of the General Council Decision, granted or intends to grant a compulsory licence to use the invention pertaining to the product,

(iv) if the application relates to a WTO Member listed in Schedule 4, a certified copy of the notice in writing that the WTO Member has provided to the TRIPS Council specifying the name of the pharmaceutical product, as defined in paragraph 1( a ) of the General Council Decision, and the quantity of that product, needed by the WTO Member, and stating that the WTO Member is faced with a national emergency or other circumstances of extreme urgency and that it has insufficient or no pharmaceutical manufacturing capacity for the production of the product to which the application relates, and

(A) a solemn or statutory declaration in the prescribed form by the person filing the application stating that the product to which the application relates is not patented in that WTO Member, or

(B) a certified copy of the notice in writing that the WTO Member has provided to the TRIPS Council confirming that the WTO Member has, in accordance with Article 31 of the TRIPS Agreement and the provisions of the General Council Decision, granted or intends to grant a compulsory licence to use the invention pertaining to the product, or

(v) if the application relates to a country listed in Schedule 4 that is not a WTO Member, a certified copy of the notice in writing that the country has provided to the Government of Canada through diplomatic channels specifying the name of the pharmaceutical product, as defined in paragraph 1( a ) of the General Council Decision, and the quantity of that product, needed by the country, and stating that it is faced with a national emergency or other circumstances of extreme urgency, that it has insufficient or no pharmaceutical manufacturing capacity for the production of the product to which the application relates, that it agrees that product will not be used for commercial purposes and that it undertakes to adopt the measures referred to in Article 4 of the General Council Decision, and

(A) a solemn or statutory declaration in the prescribed form by the person filing the application stating that the product to which the application relates is not patented in that country, or

(B) a certified copy of the notice in writing that the country has provided to the Government of Canada through diplomatic channels confirming that the country has granted or intends to grant a compulsory licence to use the invention pertaining to the product.

**21.05** (1) The authorization must be in the prescribed form and, subject to subsection (2), contain the prescribed information.

(2) The quantity of the product authorized to be manufactured by an authorization may not be more than the lesser of

( a ) the maximum quantity set out in the application for the authorization, and

( b ) the quantity set out in the notice referred to in any of subparagraphs 21.04(3)( d )(i) to (v), whichever is applicable.

**21.06** (1) Before exporting a product manufactured under an authorization, the holder of the authorization must establish a website on which is disclosed the prescribed information respecting the name of the product, the name of the country or WTO Member to which it is to be exported, the quantity that is authorized to be manufactured and sold for export and the distinguishing features of the product, and of its label and packaging, as required by regulations made under the *Food and Drugs Act* .

(2) The holder must maintain the website during the entire period during which the authorization is valid.

**21.07** Before exporting any quantity of a product manufactured under an authorization, the holder of the authorization must, at least fifteen days before the product is exported, provide to each of the following a notice specifying the quantity to be exported:

( a ) the patentee or each of the patentees, as the case may be;

( b ) the country or WTO Member named in the authorization; and

( c ) the person or entity that purchased the product to which the authorization relates.

**21.08** (1) Subject to subsections (3) and (4), on the occurrence of a prescribed event, the holder of an authorization is required to pay to the patentee or each patentee, as the case may be, a royalty determined in the prescribed manner.

(2) In making regulations for the purposes of subsection (1), the Governor in Council must consider the humanitarian and non-commercial reasons underlying the issuance of authorizations under subsection 21.04(1).

(3) The royalties payable under this section must be paid within the prescribed time.

(4) The Federal Court may, in relation to any authorization, make an order providing for the payment of a royalty that is greater than the royalty that would otherwise be required to be paid under subsection (1).

(5) An order may be made only on the application of the patentee, or one of the patentees, as the case may be, and on notice of the application being given by the applicant to the holder of the authorization.



(6) An order may provide for a royalty of a fixed amount or for a royalty to be determined as specified in the order, and the order may be subject to any terms that the Federal Court considers appropriate.

(7) The Federal Court may make an order only if it is satisfied that the royalty otherwise required to be paid is not adequate remuneration for the use of the invention or inventions to which the authorization relates, taking into account

( a ) the economic value of the use of the invention or inventions to the country or WTO Member; and

( b ) the humanitarian and non-commercial reasons underlying the issuance of the authorization.

**21.09** An authorization granted under subsection 21.04(1) is valid for a period of two years beginning on the day on which the authorization is granted.

**21.1** The use of a patented invention under an authorization is non-exclusive.

**21.11** An authorization is non-transferable, other than where the authorization is an asset of a corporation or enterprise and the part of the corporation or enterprise that enjoys the use of the authorization is sold, assigned or otherwise transferred.

**21.12** (1) The Commissioner shall, on the application of the person to whom an authorization was granted and on the payment of the prescribed fee, renew the authorization if the person certifies under oath in the renewal application that the quantities of the pharmaceutical product authorized to be exported were not exported before the authorization ceases to be valid and that the person has complied with the terms of the authorization and the requirements of sections 21.06 to 21.08.

(2) An authorization may be renewed only once.

(3) The application for renewal must be made within the 30 days immediately before the authorization ceases to be valid.

(4) An authorization that is renewed is valid for a period of two years beginning on the day immediately following the day of the expiry of the period referred to in section 21.09 in respect of the authorization.

(5) Applications for renewal and renewed authorizations issued under subsection (1) must be in the prescribed form.”

It was agreed, — That the clause by clause consideration of Bill C-9, *An Act to amend the Patent Act and the Food and Drugs Act*, would resume on Thursday, April 22, 2004, at 9:00 a.m..

At 1:00 p.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2004/04/26 8:46 a.m.



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 3rd SESSION

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**MINUTES OF PROCEEDINGS**

**STANDING COMMITTEE ON INDUSTRY, SCIENCE AND  
TECHNOLOGY**

Chair: Brent St. Denis, Lib.

**Meeting No. 11**

**Thursday, April 22, 2004**

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**ORDER OF THE DAY:**

Pursuant to the Order of Reference of Thursday, February 12, 2004, the Committee commenced consideration of Bill C-9, An Act to amend the Patent Act and the Food and Drugs Act.

**MEMBERS OF THE COMMITTEE PRESENT:**

Gérard Binet,  
Hon. David Collenette,  
Paul Crête,  
Hon. Joe Fontana,  
Marlene Jennings,  
Hon. Gurbax Malhi,  
Brian Masse,  
Grant McNally,  
James Rajotte,  
Andy Savoy,  
Carol Skelton,  
Brent St. Denis  
and Hon. Lyle Vanclief.

**ACTING MEMBERS PRESENT:**

Gilbert Barrette for Hon. Gurbax Malhi,  
Murray Calder for Hon. Herb Dhaliwal,  
Rodger Cuzner for Hon. Herb Dhaliwal,

Brian Fitzpatrick for Cheryl Gallant,  
Roger Gaudet for Jocelyne Girard-Bujold,  
Raymond Simard for Hon. David Collenette,  
Diane St-Jacques for Hon. David Collenette,  
and Bryon Wilfert for Hon. David Collenette.

**IN ATTENDANCE:**

*Library of Parliament:*

Lalita Acharya, Analyst;  
Kristen Douglas, Analyst;  
Dan Shaw, Analyst.

*House of Commons:*

Joann Garbig, Legislative Clerk;  
Jean-Michel Roy, Legislative Clerk.

**WITNESSES:**

*Department of Industry:*

Susan Bincoletto, Acting Director General, Marketplace  
Framework Policy Branch;  
Éric Dagenais, Acting Director, Patent Policy Directorate;  
Douglas Clark, Acting Senior Project Leader, Patent Policy  
Directorate.

*Department of Health:*

Robert Peterson, Director General, Therapeutic Products  
Directorate, Health Products and Food Branch;  
David K. Lee, Director, Office of Patented Medicines and Liaison,  
Therapeutic Products Directorate, Health Products and Food  
Branch.

*Department of Foreign Affairs:*

Christopher Armstrong, Senior Advisor, HIV/AIDS.

*Department of International Trade:*

Suzanne Vinet, Director General, Trade Policy, Services,  
Investment and Intellectual Property Bureau;  
John Drummond, Deputy Director, Intellectual Property,  
Information and Technology Trade Policy Division.

*Canadian International Development Agency:*

Sandra Black, Director, Social Development Policies, Policy  
Branch.



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Louise M. Thibault  
Clerk of the Committee





Français

## MINUTES OF PROCEEDINGS

Meeting No. 11

Thursday, April 22, 2004

The Standing Committee on Industry, Science and Technology met at 9:04 a.m. this day, in Room 308 West Block, the Chair, Brent St. Denis, presiding.

*Members of the Committee present:* Gérard Binet, Hon. David Collenette, Paul Crête, Hon. Joe Fontana, Marlene Jennings, Hon. Gurbax Malhi, Brian Masse, Grant McNally, James Rajotte, Andy Savoy, Carol Skelton, Brent St. Denis and Hon. Lyle Vancilief.

*Acting Members present:* Gilbert Barrette for Hon. Gurbax Malhi, Murray Calder for Hon. Herb Dhaliwal, Rodger Cuzner for Hon. Herb Dhaliwal, Brian Fitzpatrick for Cheryl Gallant, Roger Gaudet for Jocelyne Girard-Bujold, Raymond Simard for Hon. David Collenette, Diane St-Jacques for Hon. David Collenette and Bryon Wilfert for Hon. David Collenette.

*In attendance: Library of Parliament:* Lalita Acharya, Analyst; Kristen Douglas, Analyst; Dan Shaw, Analyst. *House of Commons:* Joann Garbig, Legislative Clerk; Jean-Michel Roy, Legislative Clerk.

*Witnesses: Department of Industry:* Susan Bincoletto, Acting Director General, Marketplace Framework Policy Branch; Éric Dagenais, Acting Director, Patent Policy Directorate; Douglas Clark, Acting Senior Project Leader, Patent Policy Directorate. *Department of Health:* Robert Peterson, Director General, Therapeutic Products Directorate, Health Products and Food Branch; David K. Lee, Director, Office of Patented Medicines and Liaison, Therapeutic Products Directorate, Health Products and Food Branch. *Department of Foreign Affairs:* Christopher Armstrong, Senior Advisor, HIV/AIDS. *Department of International Trade:* Suzanne Vinet, Director General, Trade Policy, Services, Investment and Intellectual Property Bureau; John Drummond, Deputy Director, Intellectual Property, Information and Technology Trade Policy Division. *Canadian International Development Agency:* Sandra Black, Director, Social Development Policies, Policy Branch.

Pursuant to the Order of Reference of Thursday, February 12, 2004, the Committee resumed consideration of Bill C-9, An Act to amend the Patent Act and the Food and Drugs Act.

The Committee resumed its clause-by-clause study of the Bill.

The witnesses answered questions.

On Clause 1,

The Committee resumed consideration of the amendment of Joe Fontana, — That Bill C-9, in Clause 1, be amended by replacing line 19 on page 4 to line 23 on page 11 with the following:

“ **21.04** (1) Subject to subsection (3), the Commissioner shall, on the application of any person and on the payment of the prescribed fee, authorize the person to make, construct and use a patented invention solely for purposes directly related to the manufacture of the pharmaceutical product named in the application and to sell it for export to a country or WTO Member that is listed in any of Schedules 2 to 4

and that is named in the application.

(2) The application must be in the prescribed form and set out

( a ) the name of the pharmaceutical product to be manufactured and sold for export under the authorization;

( b ) prescribed information in respect of the version of the pharmaceutical product to be manufactured and sold for export under the authorization;

( c ) the maximum quantity of the pharmaceutical product to be manufactured and sold for export under the authorization;

( d ) for each patented invention to which the application relates, the name of the patentee of the invention and the number, as recorded in the Patent Office, of the patent issued in respect of that invention;

( e ) the name of the country or WTO Member to which the pharmaceutical product is to be exported;

( f ) the name of the person or entity to which the product is to be sold, and prescribed information, if any, concerning that person or entity; and

( g ) any other information that may be prescribed.

(3) The Commissioner shall authorize the use of the patented invention only if

( a ) the applicant has complied with the prescribed requirements, if any;

( b ) the Minister of Health has notified the Commissioner that the version of the pharmaceutical product that is named in the application meets the requirements of the *Food and Drugs Act* and its regulations, including the requirements under those regulations relating to the marking, embossing, labelling and packaging that identify that version of the product as having been manufactured

(i) in Canada as permitted by the General Council Decision, and

(ii) in a manner that distinguishes it from the version of the pharmaceutical product sold in Canada by, or with the consent of, the patentee or patentees, as the case may be;

( c ) the applicant provides the Commissioner with a solemn or statutory declaration in the prescribed form stating that the applicant had, within the prescribed time before filing the application,

(i) sought from the patentee or, if there is more than one, from each of the patentees a licence to manufacture and sell the pharmaceutical product for export to the country or WTO Member named in the application, and

(ii) provided the patentee, or each of the patentees, as the case may be, with information that is in all material respects identical to the information referred to in paragraphs (2)( a ) to ( g ); and

( d ) the applicant also provides the Commissioner with



(i) if the application relates to a WTO Member listed in Schedule 2, a certified copy of the notice in writing that the WTO Member has provided to the TRIPS Council specifying the name of the pharmaceutical product, as defined in paragraph 1( a ) of the General Council Decision, and the quantity of that product, needed by the WTO Member, and

(A) a solemn or statutory declaration in the prescribed form by the person filing the application stating that the product to which the application relates is the product specified in the notice and that the product is not patented in that WTO Member, or

(B) a solemn or statutory declaration in the prescribed form by the person filing the application stating that the product to which the application relates is the product specified in the notice and a certified copy of the notice in writing that the WTO Member has provided to the TRIPS Council confirming that the WTO Member has, in accordance with Article 31 of the TRIPS Agreement and the provisions of the General Council Decision, granted or intends to grant a compulsory licence to use the invention pertaining to the product,

(ii) if the application relates to a country listed in Schedule 2 that is not a WTO Member, a certified copy of the notice in writing that the country has provided to the Government of Canada through diplomatic channels specifying the name of the pharmaceutical product, as defined in paragraph 1( a ) of the General Council Decision, and the quantity of that product, needed by the country, and

(A) a solemn or statutory declaration in the prescribed form by the person filing the application stating that the product to which the application relates is the product specified in the notice and that the product is not patented in that country, or

(B) a solemn or statutory declaration in the prescribed form by the person filing the application stating that the product to which the application relates is the product specified in the notice and a certified copy of the notice in writing that the country has provided to the Government of Canada through diplomatic channels confirming that the country has granted or intends to grant a compulsory licence to use the invention pertaining to the product,

(iii) if the application relates to a WTO Member listed in Schedule 3, a certified copy of the notice in writing that the WTO Member has provided to the TRIPS Council specifying the name of the pharmaceutical product, as defined in paragraph 1( a ) of the General Council Decision, and the quantity of that product, needed by the WTO Member, and stating that the WTO Member has insufficient or no pharmaceutical manufacturing capacity for the production of the product to which the application relates, and

(A) a solemn or statutory declaration in the prescribed form by the person filing the application stating that the product to which the application relates is not patented in that WTO Member, or

(B) a certified copy of the notice in writing that the WTO Member has provided to the TRIPS Council confirming that the WTO Member has, in accordance with Article 31 of the TRIPS Agreement and the provisions of the General Council Decision, granted or intends to grant a compulsory licence to use the invention pertaining to the product,

(iv) if the application relates to a WTO Member listed in Schedule 4, a certified copy of the notice in writing that the WTO Member has provided to the TRIPS Council specifying the name of the pharmaceutical product, as defined in paragraph 1( a ) of the General Council Decision, and the quantity of that product, needed by the WTO Member, and stating that the WTO Member is faced with a national

emergency or other circumstances of extreme urgency and that it has insufficient or no pharmaceutical manufacturing capacity for the production of the product to which the application relates, and

(A) a solemn or statutory declaration in the prescribed form by the person filing the application stating that the product to which the application relates is not patented in that WTO Member, or

(B) a certified copy of the notice in writing that the WTO Member has provided to the TRIPS Council confirming that the WTO Member has, in accordance with Article 31 of the TRIPS Agreement and the provisions of the General Council Decision, granted or intends to grant a compulsory licence to use the invention pertaining to the product, or

(v) if the application relates to a country listed in Schedule 4 that is not a WTO Member, a certified copy of the notice in writing that the country has provided to the Government of Canada through diplomatic channels specifying the name of the pharmaceutical product, as defined in paragraph 1( a ) of the General Council Decision, and the quantity of that product, needed by the country, and stating that it is faced with a national emergency or other circumstances of extreme urgency, that it has insufficient or no pharmaceutical manufacturing capacity for the production of the product to which the application relates, that it agrees that product will not be used for commercial purposes and that it undertakes to adopt the measures referred to in Article 4 of the General Council Decision, and

(A) a solemn or statutory declaration in the prescribed form by the person filing the application stating that the product to which the application relates is not patented in that country, or

(B) a certified copy of the notice in writing that the country has provided to the Government of Canada through diplomatic channels confirming that the country has granted or intends to grant a compulsory licence to use the invention pertaining to the product.

**21.05** (1) The authorization must be in the prescribed form and, subject to subsection (2), contain the prescribed information.

(2) The quantity of the product authorized to be manufactured by an authorization may not be more than the lesser of

( a ) the maximum quantity set out in the application for the authorization, and

( b ) the quantity set out in the notice referred to in any of subparagraphs 21.04(3)( d )(i) to (v), whichever is applicable.

**21.06** (1) Before exporting a product manufactured under an authorization, the holder of the authorization must establish a website on which is disclosed the prescribed information respecting the name of the product, the name of the country or WTO Member to which it is to be exported, the quantity that is authorized to be manufactured and sold for export and the distinguishing features of the product, and of its label and packaging, as required by regulations made under the *Food and Drugs Act* .

(2) The holder must maintain the website during the entire period during which the authorization is valid.

**21.07** Before exporting any quantity of a product manufactured under an authorization, the holder of the authorization must, at least fifteen days before the product is exported, provide to each of the following a notice specifying the quantity to be exported:



( a ) the patentee or each of the patentees, as the case may be;

( b ) the country or WTO Member named in the authorization; and

( c ) the person or entity that purchased the product to which the authorization relates.

**21.08** (1) Subject to subsections (3) and (4), on the occurrence of a prescribed event, the holder of an authorization is required to pay to the patentee or each patentee, as the case may be, a royalty determined in the prescribed manner.

(2) In making regulations for the purposes of subsection (1), the Governor in Council must consider the humanitarian and non-commercial reasons underlying the issuance of authorizations under subsection 21.04(1).

(3) The royalties payable under this section must be paid within the prescribed time.

(4) The Federal Court may, in relation to any authorization, make an order providing for the payment of a royalty that is greater than the royalty that would otherwise be required to be paid under subsection (1).

(5) An order may be made only on the application of the patentee, or one of the patentees, as the case may be, and on notice of the application being given by the applicant to the holder of the authorization.

(6) An order may provide for a royalty of a fixed amount or for a royalty to be determined as specified in the order, and the order may be subject to any terms that the Federal Court considers appropriate.

(7) The Federal Court may make an order only if it is satisfied that the royalty otherwise required to be paid is not adequate remuneration for the use of the invention or inventions to which the authorization relates, taking into account

( a ) the economic value of the use of the invention or inventions to the country or WTO Member; and

( b ) the humanitarian and non-commercial reasons underlying the issuance of the authorization.

**21.09** An authorization granted under subsection 21.04(1) is valid for a period of two years beginning on the day on which the authorization is granted.

**21.1** The use of a patented invention under an authorization is non-exclusive.

**21.11** An authorization is non-transferable, other than where the authorization is an asset of a corporation or enterprise and the part of the corporation or enterprise that enjoys the use of the authorization is sold, assigned or otherwise transferred.

**21.12** (1) The Commissioner shall, on the application of the person to whom an authorization was granted and on the payment of the prescribed fee, renew the authorization if the person certifies under oath in the renewal application that the quantities of the pharmaceutical product authorized to be exported were not exported before the authorization ceases to be valid and that the person has complied with the terms of the authorization and the requirements of sections 21.06 to 21.08.

(2) An authorization may be renewed only once.

(3) The application for renewal must be made within the 30 days immediately before the authorization ceases to be valid.

(4) An authorization that is renewed is valid for a period of two years beginning on the day immediately following the day of the expiry of the period referred to in section 21.09 in respect of the authorization.

(5) Applications for renewal and renewed authorizations issued under subsection (1) must be in the prescribed form.”

The debate continued.

Marlene Jennings moved, — That the amendment be amended in 21.04(2)(f) by adding between the words “name” and “to which” the following:

“of the governmental person or entity, or the person or entity permitted by the government of the importing country,”

After debate, the question was put on the subamendment of Marlene Jennings and it was agreed to.

Marlene Jennings moved, — That the amendment be amended in 21.04(3) by adding between the words “Commissioner shall” and “authorize” the following:

“, unless the Commissioner sees good reason not to grant the authorization,”

After debate, the question was put on the subamendment of Marlene Jennings and it was negatived.

Paul Crête moved, — That the amendment be amended in 21.04(3)(c)(i) by adding between the words “patentees” and “a licence” the following:

“, by certified mail,”

and in 21.04(3)(c)(ii) by adding between the words “may be” and “with the information” the following:

“by certified mail,”

Debate arose thereon.

By unanimous consent, it was agreed, — That the words “or registered” be added after the word “certified”.

After debate, the question was put on the subamendment of Paul Crête and it was agreed to.

Marlene Jennings moved, — That the amendment be amended in 21.04(3)(c)(i) by adding after the words “in the application” the following:

“on reasonable terms and conditions and that such efforts have not been successful”

and in 21.04(3)(c)(ii) by adding between the words “registered mail” and “with the information” the following:



“in the written request for a licence”

After debate, the question was put on the subamendment of Marlene Jennings and it was agreed to.

Paul Crête moved, — That the amendment be amended in 21.06(1) by adding between the words “packaging” and “as required by” the following:

“including all known participants in the logistical chain from Canada to the importing country,”

After debate, the question was put on the subamendment of Paul Crête and it was agreed to.

Marlene Jennings moved, — That the amendment be amended by adding after 21.06(2) the following:

“(3) The Commissioner of Patents shall post and maintain on the website of the Canadian Intellectual Property Office a link to each website required to be maintained by the holder of an authorization under subsection (1).”

After debate, the question was put on the subamendment of Marlene Jennings and it was agreed to.

Marlene Jennings moved, — That the amendment be amended by adding after 21.06(2) the following:

“(4) The Commissioner of Patents shall, within seven days of receipt, post on the website of the Canadian Intellectual Property Office each application for authorization filed under section 21.04(1).”

After debate, the question was put on the subamendment of Marlene Jennings and it was agreed to.

Marlene Jennings moved, — That the amendment be amended in 21.07 by

(a) replacing the word “exporting” with the words “each shipment of”

(b) replacing the words “at least” with the word “within”

(c) adding between the words “notice” and “specifying” the following:

“, by certified or registered mail,”

(d) adding after the words “quantity to be exported” the following:

“, and identifying every known party in the distribution chain from Canada to the final country of import”

After debate, the question was put on the subamendment of Marlene Jennings and it was agreed to.

At 9:44 a.m., the sitting was suspended.

At 9:54 a.m., the sitting resumed.

Brian Masse moved, — That the amendment be amended in 21.04(2) by deleting paragraph (g).

After debate, the question was put on the subamendment of Brian Masse and it was negatived, by a

show of hands: YEAS: 1; NAYS: 2.

Brian Masse moved, — That the amendment be amended in 21.04(3)( c ) by adding between the words “had” and “before” the following:

“within thirty days”

After debate, the question was put on the subamendment of Brian Masse and it was agreed to.

Brian Masse moved, — That the amendment be amended by adding after 21.04(3) the following:

“(4) Section 21.04 (3) (c)(i) and (ii) does not apply if the application relates to a country that is not a WTO Member, or in the case of a country that is a WTO Member, if the Commissioner receives a certified copy of a written statement, provided by the WTO Member confirming that:

(i)In the case of a WTO Member listed in Schedule 2 or 3, the pharmaceutical product named in the notice

i.Is to be used for addressing a national emergency or other circumstance of extreme urgency, or

ii.Is for public, non-commercial, use;

(ii)In the case of a WTO Member listed in Schedule 4, the pharmaceutical product named in the notice is to be used for addressing a national emergency or other circumstance of extreme urgency; or

(iii)In the case of any WTO Member, that the importation and distribution in the WTO Member of the pharmaceutical product named in the notice has been permitted in the WTO Member to remedy a practice by the patentee that has been determined by the appropriate judicial or administrative process in that WTO Member to be anti-competitive.

(5) If the requirements set out in subsection (4) have been met, the Commissioner shall, without delay, send to each patentee named in the application, by registered mail, a copy of the application and, in the case of an application that relates to a country that is a WTO Member, a copy of the written statement.”

After debate, by unanimous consent, the subamendment was withdrawn.

Brian Masse moved, — That the amendment be amended in 21.08(1) by adding after the words “prescribed manner” the following:

“, not to exceed 4% of the value of the pharmaceutical products exported under the authorization”

After debate, the question was put on the subamendment of Brian Masse and it was negatived.

Brian Masse moved, — That the amendment be amended in 21.08(4) by adding between the words “greater” and “than the royalty” the following:

“or lesser”

After debate, the question was put on the subamendment of Brian Masse and it was negatived.

Brian Masse moved, — That the amendment be amended in 21.08(7) by reordering and renumbering 21.07(a) and (b) as follows:

“( a ) the humanitarian and non-commercial reasons underlying the issuance of the authorization; and  
( b ) the economic value of the use of the invention or inventions to the country or WTO Member.”

After debate, the question was put on the subamendment of Brian Masse and it was agreed to.

Brian Masse moved, — That the amendment be amended by replacing 21.09 with the following:

“ **21.09** An authorization granted under subsection 21.04(1) is valid until the date of the first of the following:

(a) the length of the contract referred to in the application; or  
(b) the date that the pharmaceutical product authorized for export is removed from the Patent List.”

After debate, the question was put on the subamendment of Brian Masse and it was negatived.

After debate, the question was put on the amendment of Joe Fontana, as amended, and it was agreed to.

Joe Fontana moved, — That Bill C-9, in Clause 1, be amended

(a) by replacing lines 25 to 28 on page 11 with the following:

“rization ceases to be valid on the earliest of

( a ) the expiry of the period referred to in section 21.09 in respect of the authorization, or the expiry of the period referred to in subsection 21.12(4) if the authorization has been renewed, as the case may be,”

(b) by replacing line 35 on page 11 with the following:

“ referred to in paragraph 21.04(3)( b ) has”

(c) by replacing line 42 on page 11 with the following:

“( d ) thirty days after the day on which”

After debate, the question was put on the amendment of Joe Fontana and it was agreed to.

By unanimous consent, it was agreed, — That departmental officials be requested to submit draft regulations to the Committee as soon as they are posted in the Canada Gazette.

Marlene Jennings moved, — That Bill C-9, in Clause 1 be amended to delete the word “and” at the end of line 6 page 12, and add at line 8 page 12:

“(f) the day on which the licensee receives notice from the importing country that the importation of the product into the country or WTO Member to which the pharmaceutical product was, or is to be, exported, is illegal, or infringes patents in the country of import; and



(g) the day on which the contract between the licensee and the person or entity in the importing country has ceased to exist.”

The question was put on the amendment of Marlene Jennings and it was negatived.

Joe Fontana moved, — That Bill C-9, in Clause 1, be amended by replacing lines 16 to 34 on page 12 with the following:

“ or any of the documents provided to the Commissioner in relation to the application contained any material information that is inaccurate;

( b ) the holder of the authorization has failed to establish a website as required by section 21.06, has failed to disclose on that website the information required to be disclosed by that section or has failed to maintain the website as required by that section;

( c ) the holder of the authorization has failed to provide a notice required to be given under section 21.07;

( d ) the holder of the authorization has failed to pay, within the required time, any royalty required to be paid as a result of the authorization;

( e ) the holder of the authorization has failed to comply with subsection 21.16(2);

( f ) the product exported to the country or WTO Member, as the case may be, under the authorization has been, with the knowledge of the holder of the authorization, re-exported in a manner that is contrary to the General Council Decision and in quantities that are significant, considering the quantities exported;

( g ) the product was exported, other than in the normal course of transit, to a country or WTO Member other than the country or WTO Member named in the authorization;

( h ) the product was exported in a quantity greater than the quantity authorized to be manufactured; or

( i ) if the product was exported to a country that is not a WTO Member, the country has permitted the product to be used for commercial purposes or has failed to adopt the measures referred to in Article 4 of the General Council Decision.”

Debate arose thereon.

Marlene Jennings moved, — That the amendment be amended in 21.14(f) by deleting the following:

“and in quantities that are significant, considering the quantities exported”

After debate, the question was put on the subamendment of Marlene Jennings and it was agreed to.

After debate, the question was put on the amendment of Joe Fontana, as amended, and it was agreed to.

Marlene Jennings moved, — That Bill C-9, in Clause 1, be amended, by adding after line 39 on page 12:

“Every person commits an offence who

- (a) exports a patented product that is the subject of an authorization where the person knows or should know that it will be re-exported; or
  - (b) submits an application containing false or misleading information;
- is guilty of an offence punishable on summary conviction and liable to a fine.”

After debate, the question was put on the amendment of Marlene Jennings and it was negatived.

At 11:35 a.m., the sitting was suspended.

At 12:19 p.m., the sitting resumed.

Marlene Jennings moved, — That Bill C-9, in Clause 1, be amended, at page 12, by adding after section 21.15:

“The grant of an authorization under subsection 21.04 affects the patentee's rights in Canada only to the extent necessary to permit the holder of the authorization to manufacture and export the patented product according to the terms and conditions prescribed by legislation and/or as set in the authorization.”

After debate, the question was put on the amendment of Marlene Jennings and it was negatived.

Joe Fontana moved, — That Bill C-9, in Clause 1, be amended by replacing lines 40 to 44 on page 12 and lines 1 and 2 on page 13 with the following:

“ **21.16** (1) Within fifteen days after the later of the day on which the authorization was granted and the day on which the agreement for the sale of the product to which the authorization relates was entered into, the holder of an authorization must provide the Commissioner and the patentee, or each patentee, as the case may be, with

( a ) a copy of the agreement; and

( b ) a solemn or statutory declaration in the prescribed form setting out

(i) the total monetary value of the agreement, expressed in Canadian currency, and

(ii) the number of units of the product to be sold under the terms of the agreement.

(2) The holder of an authorization may not export any product to which the authorization relates until after the holder has complied with subsection (1).

**21.17** (1) If the average price of the product to be manufactured under an authorization is equal to or greater than 25 percent of the average price in Canada of the equivalent product sold by or with the consent of the patentee, the patentee may, on notice given by the patentee to the person to whom an authorization was granted, apply to the Federal Court for an order under subsection (3) on the grounds that the essence of the agreement under which the product is to be sold is commercial in nature.

(2) In determining whether the agreement is commercial in nature, the Federal Court must take into



account

( a ) the need for the holder of the authorization to make a reasonable return sufficient to sustain a continued participation in humanitarian initiatives;

( b ) the ordinary levels of profitability, in Canada, of commercial agreements involving pharmaceutical products, as defined in paragraph 1( a ) of the General Council Decision; and

( c ) international trends in prices as reported by the United Nations for the supply of such products for humanitarian purposes.

(3) If the Federal Court determines that the agreement is commercial in nature, it may make an order, on any terms that it considers appropriate,

( a ) terminating the authorization; or

( b ) requiring the holder to pay, in addition to the royalty otherwise required to be paid, an amount that the Federal Court considers adequate to compensate the patentee for the commercial use of the patent.

(4) If the Federal Court makes an order terminating the authorization, the Federal Court may also, if it considers it appropriate to do so, make an order, on any terms that it considers appropriate,

( a ) requiring the holder to deliver to the patentee any of the product to which the authorization relates remaining in the holder's possession as though the holder had been determined to have been infringing a patent; or

( b ) with the consent of the patentee, requiring the holder to export any of the product to which the authorization relates remaining in the holder's possession to the country or WTO Member named in the authorization.

(5) The Federal Court may not make an order under subsection (3) if, under the protection of a confidentiality order made by the Court, the holder of the authorization submits to a Court-supervised audit and that audit establishes that the average price of the product manufactured under the authorization does not exceed an amount equal to the direct supply cost of the product plus 15 per cent of that direct supply cost.

(6) The following definitions apply in this section.

"average price" means

( a ) in relation to a product to be manufactured under an authorization, the total monetary value of the agreement under which the product is to be sold, expressed in Canadian currency, divided by the number of units of the product to be sold under the terms of the agreement; and

( b ) in relation to an equivalent product sold by or with the consent of the patentee, the average of the prices in Canada of that product as those prices are reported in prescribed publications on the day on which the application for the authorization was filed.

"direct supply cost", in relation to a product to be manufactured under an authorization, means the cost of the materials and of the labour, and any other manufacturing costs, directly related to the production

of the quantity of the product that is to be manufactured under the authorization.

"unit", in relation to any product, means a single tablet, capsule or other individual dosage form of the product, and if applicable, in a particular strength.

**21.18** The Minister and the Minister of Health may establish an advisory committee to advise them on the recommendations that they may make to the Governor in Council respecting the amendment of Schedule 1.

**21.19** The person designated by the Governor in Council for the purpose of this section must maintain a website on which is set out a copy of every notice referred to in subparagraphs 21.04(3)( *d* )(ii) and (v) that is provided to the Government of Canada through diplomatic channels by a country that is not a WTO Member. The copy must be added to the website as soon as possible after the notice has been provided to the Government of Canada.

**21.2** (1) A review of sections 21.01 to 21.19 and their application must be completed"

Debate arose thereon.

Marlene Jennings moved, — That the amendment be amended

(a) in 21.16(1) by adding between the words "provide" and "the Commissioner" the following:

"by certified or registered mail,"

(b) in 21.16(1)(a) by adding the following:

"it has reached with the person or entity referred to in 21.04(2) ( *f* ) for the supply of the product authorized to be manufactured and sold incorporating information that is in all material respects identical to the information referred to in paragraphs (2)( *a* ) ( *b* ), ( *e* ) and ( *f* );"

(c) in 21.16(1)( *b* )(i) by adding between the words "agreement" and "expressed" the following:

"as it relates to the product authorized to be manufactured and sold"

After debate, the question was put on the subamendment of Marlene Jennings and it was agreed to.

Marlene Jennings moved, — That the amendment be amended in 21.17(1) by adding

(a) before the words "If the average" the following:

"Subject to subsection (5),"

(b) between the words "consent of the patentee" and "the patentee may" the following:

"the essence of the agreement is deemed to be commercial, and"

The question was put on the subamendment of Marlene Jennings and it was negatived.

Brian Masse moved, — That the amendment be amended in 21.18 by replacing the words "may



establish” with the words “shall establish, within three years,”.

After debate, the question was put on the subamendment of Brian Masse and it was agreed to.

Marlene Jennings moved, — That the amendment be amended in 21.19 by adding after the words “WTO Member” the following:

“by which the country seeks supply of a particular product in a particular quantity.”

After debate, by unanimous consent, the subamendment was withdrawn.

After debate, the question was put on the amendment of Joe Fontana, as amended, and it was agreed to.

James Rajotte moved, — That Bill C-9, in Clause 1, be amended by adding after line 44 on page 12 the following:

“(2) The standing committee of the House of Commons that normally considers matters related to industry shall assess all candidates for appointment to the advisory committee and make recommendations to the Minister on the eligibility and qualifications of those candidates.”

After debate, the question was put on the amendment of James Rajotte and it was agreed to.

James Rajotte moved, — That Bill C-9, in Clause 1, be amended by replacing line 3 on page 13 with the following:

“by the Minister two years after this section”

After debate, the question was put on the amendment of James Rajotte and it was agreed to.

By unanimous consent, the Committee reverted to the consideration of the amendment of Joe Fontana previously stood which read as follows: That Bill C-9, in Clause 1, be amended by replacing line 7 on page 1 with the following:

“ 21.2 is to give effect to Jean Chrétien's pledge to Africa by facilitating access to pharmaceutical”

Marlene Jennings moved, — That the amendment be amended by adding before the words “Jean Chretien's pledge ” the following: “Canada and”.

After debate, the question was put on the subamendment of Marlene Jennings and it was agreed to.

The question was put on the amendment of Joe Fontana, as amended, and it was agreed to.

Clause 1, as amended, carried.

Clause 2 carried.

Clause 3 carried.

Clause 4 carried.

On Schedule 1,

Brian Masse moved, — That Bill C-9, in Schedule 1, be amended by deleting, if applicable, in respect of each patented product listed in Schedule 1, the dosage form, the strength and the route of administration specified in that Schedule in relation to the product.

After debate, the question was put on the amendment of Brian Masse and it was negatived.

Joe Fontana moved, — That Bill C-9, in Schedule 1, be amended by adding the following in alphabetical order:

“abacavir (ABC): tablet, 300 mg (as sulfate); oral solution, 100 mg (as sulfate)/5 mL

abacavir + lamivudine + zidovudine: tablet, 300 mg (as sulfate) + 150 mg + 300 mg

amprenavir: capsule, 50 mg or 150 mg; oral solution, 15 mg/mL

delavirdine: tablet, 100 mg (as mesylate)

didanosine (ddI): buffered chewable, dispersible tablet, 25 mg, 50 mg, 100 mg, 150 mg, 200 mg; buffered powder for oral solution, 100 mg, 167 mg, 250 mg, packets; unbuffered enteric coated capsule, 125 mg, 200 mg, 250 mg, 400 mg

lamivudine (3TC): tablet, 150 mg; oral solution 50, mg/5 mL

lamivudine + zidovudine: tablet, 150 mg + 300 mg

nevirapine (NVP): tablet, 200 mg; oral suspension, 50 mg/5 mL

zalcitabine: tablet, 0.375 mg or 0.750 mg”

Debate arose thereon.

Brian Masse moved, — That the amendment be amended by adding to the listing of amprenavir the following:

“amprenavir tablet, 150 mg”

After debate, by unanimous consent, the subamendment was withdrawn.

After debate, the question was put on the amendment of Joe Fontana and it was agreed to.

By unanimous consent, it was agreed, — That departmental officials would provide Brian Masse and the Committee with a list of medication and dosage for possible use at report stage.

Schedule 1, as amended, carried.

On Schedule 2,

Brian Masse moved, — That Bill C-9, in Schedule 2, be amended by adding the following, in alphabetical order:

“East Timor

*Timor-Oriental ”*

After debate, the question was put on the amendment of Brian Masse and it was negatived.

On motion of Joe Fontana, it was agreed, — That Bill C-9, in Schedule 2, be amended by adding the following in alphabetical order:

“Myanmar

*Myanmar ”*

Schedule 2, as amended, carried.

On Schedule 3,

Brian Masse moved, — That Bill C-9 be amended by deleting Schedule 3.

The Chair ruled the proposed amendment inadmissible because, in order to delete a schedule, all that is required is to vote against its adoption.

Paul Crête moved, — That Bill C-9, in Schedule 3, be amended by adding the following in alphabetical order:

“Algeria

*Algérie ”*

The question was put on the amendment of Paul Crête and it was negatived.

Brian Masse moved, — That Bill C-9, in Schedule 3, be amended by adding the following, in alphabetical order:

“Anguilla

*Anguilla ”*

The question was put on the amendment of Brian Masse and it was negatived.

Brian Masse moved, — That Bill C-9, in Schedule 3, be amended by adding the following, in alphabetical order:

“Aruba

*Aruba ”*

The question was put on the amendment of Brian Masse and it was negatived.

Paul Crête moved, — That Bill C-9, in Schedule 3, be amended by adding the following in alphabetical

order:

“Azerbaijan

*Azerbaïdjan ”*

The question was put on the amendment of Paul Crête and it was negated.

Roger Gaudet moved, — That Bill C-9, in Schedule 3, be amended by adding the following in alphabetical order:

“Bosnia-Herzegovina

*Bosnie-Herzégovine ”*

The question was put on the amendment of Roger Gaudet and it was negated.

Brian Masse moved, — That Bill C-9, in Schedule 3, be amended by adding the following, in alphabetical order:

“Cook Islands

*Îles Cook ”*

The question was put on the amendment of Brian Masse and it was negated.

Paul Crête moved, — That Bill C-9, in Schedule 3, be amended by adding the following in alphabetical order:

“East Timor

*Timor-Oriental ”*

The question was put on the amendment of Paul Crête and it was negated.

Brian Masse moved, — That Bill C-9, in Schedule 3, be amended by adding the following, in alphabetical order:

“French Polynesia

*Polynésie française ”*

The question was put on the amendment of Brian Masse and it was negated.

Brian Masse moved, — That Bill C-9, in Schedule 3, be amended by adding the following, in alphabetical order:

“Gibraltar

*Gibraltar ”*



The question was put on the amendment of Brian Masse and it was negatived.

Paul Crête moved, — That Bill C-9, in Schedule 3, be amended by adding the following in alphabetical order:

“Iran

*Iran* ”

The question was put on the amendment of Paul Crête and it was negatived.

Roger Gaudet moved, — That Bill C-9, in Schedule 3, be amended by adding the following in alphabetical order:

“Iraq

*Irak* ”

The question was put on the amendment of Roger Gaudet and it was negatived.

Paul Crête moved, — That Bill C-9, in Schedule 3, be amended by adding the following in alphabetical order:

“Kazakhstan

*Kazakhstan* ”

The question was put on the amendment of Paul Crête and it was negatived.

Paul Crête moved, — That Bill C-9, in Schedule 3, be amended by adding the following in alphabetical order:

“Lebanon

*Liban* ”

The question was put on the amendment of Paul Crête and it was negatived.

Brian Masse moved, — That Bill C-9, in Schedule 3, be amended by adding the following, in alphabetical order:

“Libya

*Libye* ”

The question was put on the amendment of Brian Masse and it was negatived.

Brian Masse moved, — That Bill C-9, in Schedule 3, be amended by adding the following, in alphabetical order:

“Marshall Islands

*Îles Marshall ”*

The question was put on the amendment of Brian Masse and it was negatived.

Brian Masse moved, — That Bill C-9, in Schedule 3, be amended by adding the following, in alphabetical order:

“Micronesia (Federated States of)

*Micronésie (États fédérés de) ”*

The question was put on the amendment of Brian Masse and it was negatived.

Brian Masse moved, — That Bill C-9, in Schedule 3, be amended by adding the following, in alphabetical order:

“Myanmar

*Myanmar ”*

The question was put on the amendment of Brian Masse and it was negatived.

Brian Masse moved, — That Bill C-9, in Schedule 3, be amended by adding the following, in alphabetical order:

“Nauru

*Nauru ”*

The question was put on the amendment of Brian Masse and it was negatived.

Brian Masse moved, — That Bill C-9, in Schedule 3, be amended by adding the following, in alphabetical order:

“New Caledonia

*Nouvelle-Calédonie ”*

The question was put on the amendment of Brian Masse and it was negatived.

Brian Masse moved, — That Bill C-9, in Schedule 3, be amended by adding the following, in alphabetical order:

“Niue

*Nioué ”*

The question was put on the amendment of Brian Masse and it was negatived.

Paul Crête moved, — That Bill C-9, in Schedule 3, be amended by adding the following in alphabetical order:

“North Korea

*Corée du Nord ”*

The question was put on the amendment of Paul Crête and it was negatived.

Brian Masse moved, — That Bill C-9, in Schedule 3, be amended by adding the following, in alphabetical order:

“Palau (Republic of)

*Palaos (République des) ”*

The question was put on the amendment of Brian Masse and it was negatived.

Paul Crête moved, — That Bill C-9, in Schedule 3, be amended by adding the following in alphabetical order:

“Serbia-Montenegro

*Serbie-Monténégro ”*

The question was put on the amendment of Paul Crête and it was negatived.

Paul Crête moved, — That Bill C-9, in Schedule 3, be amended by adding the following in alphabetical order:

“Syria

*Syrie ”*

The question was put on the amendment of Paul Crête and it was negatived.

Brian Masse moved, — That Bill C-9, in Schedule 3, be amended by adding the following, in alphabetical order:

“Tajikistan

*Tadjikistan ”*

The question was put on the amendment of Brian Masse and it was negatived.

Brian Masse moved, — That Bill C-9, in Schedule 3, be amended by adding the following, in alphabetical order:

“Tonga



*Tonga ”*

The question was put on the amendment of Brian Masse and it was negatived.

Roger Gaudet moved, — That Bill C-9, in Schedule 3, be amended by adding the following in alphabetical order:

“Turkmenistan

*Turkménistan ”*

The question was put on the amendment of Roger Gaudet and it was negatived.

Paul Crête moved, — That Bill C-9, in Schedule 3, be amended by adding the following in alphabetical order:

“Ukraine

*Ukraine ”*

The question was put on the amendment of Paul Crête and it was negatived.

Paul Crête moved, — That Bill C-9, in Schedule 3, be amended by adding the following in alphabetical order:

“Uzbekistan

*Ouzbékistan ”*

The question was put on the amendment of Paul Crête and it was negatived.

Paul Crête moved, — That Bill C-9, in Schedule 3, be amended by adding the following in alphabetical order:

“Vietnam

*Vietnam ”*

The question was put on the amendment of Paul Crête and it was negatived.

Schedule 3 carried.

Schedule 4 carried on division.

On Title,

Joe Fontana moved, — That the long title of Bill C-9 be replaced by the following:

“An Act to amend the *Patent Act* and the *Food and Drugs Act* (The Jean Chrétien Pledge to Africa)”

The Title, as amended, carried.

The Bill, as amended, carried.

ORDERED, — That the Chair report the Bill, as amended, to the House.

ORDERED, — That Bill C-9, as amended, be reprinted for the use of the House at report stage.

At 2:10 p.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2004/05/06 3:23 p.m.

**MINUTES OF PROCEEDINGS**  
**STANDING COMMITTEE ON INDUSTRY, SCIENCE AND  
TECHNOLOGY**

Chair: Brent St. Denis, Lib.

**Meeting No. 12**

**Tuesday, April 27, 2004**

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**ORDER OF THE DAY:**

Pursuant to the Order of Reference of Tuesday, February 17, 2004, the Committee commenced consideration of Bill C-2, An Act to amend the Radiocommunication Act

The Committee proceeded to the consideration of matters related to Committee business

**MEMBERS OF THE COMMITTEE PRESENT:**

Gérard Binet  
Paul Crête  
Hon. Joe Fontana  
Brian Masse  
James Rajotte  
Andy Savoy  
Brent St. Denis  
Hon. Lyle Vanclicf

**ACTING MEMBER PRESENT:**

Hon. John Harvard for Marlene Jennings

**IN ATTENDANCE:**

*Library of Parliament:*  
Lalita Acharya, Analyst;  
Sam Banks, Analyst;  
Dan Shaw, Analyst.

**WITNESSES:**

*Department of Industry:*  
Michael M. Binder, Assistant Deputy Minister, Spectrum,  
Information Technologies and Telecommunications;

John Cuningham, Counsel, Industry Canada Legal Services,  
Department of Justice;  
Jan Skora, Director General, Radiocommunications and  
Broadcasting Regulatory Branch.

*Department of Canadian Heritage:*

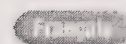
René Bouchard, Director General, Broadcasting Policy and  
Innovation.

*Canadian Radio-Television and Telecommunications Commission:*

Marc O'Sullivan, Executive Director, Broadcasting Directorate;  
Jacques Langlois, Director General, Broadcasting Policy Group.

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Louise M. Thibault  
Clerk of the Committee



## MINUTES OF PROCEEDINGS

Meeting No. 12

Tuesday, April 27, 2004

The Standing Committee on Industry, Science and Technology met at 11:08 a.m. this day, in Room 308 West Block, the Chair, Brent St. Denis, presiding.

*Members of the Committee present:* Gérard Binet, Paul Crête, Hon. Joe Fontana, Brian Masse, James Rajotte, Andy Savoy, Brent St. Denis and Hon. Lyle Vanclicf.

*Acting Members present:* John Harvard for Marlene Jennings.

*In attendance: Library of Parliament:* Lalita Acharya, Analyst; Sam Banks, Analyst; Dan Shaw, Analyst.

*Witnesses: Department of Industry:* Michael M. Binder, Assistant Deputy Minister, Spectrum, Information Technologies and Telecommunications; John Cunningham, Counsel, Commercial Law Division Industry Canada Legal Services; Jan Skora, Director General, Radiocommunications and Broadcasting Regulatory Branch. *Department of Canadian Heritage:* René Bouchard, Director General, Broadcasting Policy and Innovation. *Canadian Radio-Television and Telecommunications Commission:* Marc O'Sullivan, Executive Director, Broadcasting Directorate; Jacques Langlois, Director General, Broadcasting Policy Group.

Pursuant to the Order of Reference of Tuesday, February 17, 2004, the Committee commenced consideration of Bill C-2, An Act to amend the Radiocommunication Act.

The witnesses made statements and answered questions.

On motion of Andy Savoy, it was agreed, — That the proposed budget in the amount of \$ 12,500, for the period of April 27, 2004 to June 30, 2004 be adopted and that the Chair present the said budget to the Budget Subcommittee of the Liaison Committee.

At 12:55 p.m., the sitting was suspended.

At 12:56 p.m., the sitting resumed *in camera*.

The Committee proceeded to the consideration of matters related to Committee business.

At 1:08 p.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2004/04/29 9:02 a.m.



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 3rd SESSION

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**MINUTES OF PROCEEDINGS**  
**STANDING COMMITTEE ON INDUSTRY, SCIENCE AND**  
**TECHNOLOGY**

Chair: Brent St. Denis, Lib.

**Meeting No. 13**

**Thursday, April 29, 2004**

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**ORDER OF THE DAY:**

Pursuant to the Order of Reference of Tuesday, February 17, 2004, the Committee commenced consideration of Bill C-2, An Act to amend the Radiocommunication Act

**MEMBERS OF THE COMMITTEE PRESENT:**

Gérard Binet  
Paul Crête  
Hon. Joe Fontana  
Brian Masse  
Andy Savoy  
Brent St. Denis  
Hon. Lyle Vanclief

**ACTING MEMBERS PRESENT:**

Jim Abbott for James Rajotte  
Roy Bailey for Carol Skelton  
Lynne Yelich for Grant McNally

**OTHER MEMBER PRESENT:**

Carole-Marie Allard

**IN ATTENDANCE:**

*Library of Parliament:*  
Lalita Acharya, Analyst.

**WITNESSES:**

*Coalition Against Satellite Signal Theft:*  
Glenn O'Farrell, President and Chief Executive Officer, Canadian Association of Broadcasters;  
Shan Chandrasekar, President and Chief Executive Officer, Asian Television Network;



Chris Frank, Vice-President, Programming and Government  
Affairs, Bell Express Vu;  
Harris D. Boyd, Senior Vice-President, Industry Affairs and Office  
of Small Systems, Canadian Cable Television Association;  
Luc Perreault, Vice-President, Communications and Regulatory  
Affairs, Pelmorex;  
Édouard Trépanier, Vice-President, Regulatory Affairs, Quebecor  
Media;  
Chris Bredt, Partner, Borden Ladner Gervais LLP, representing  
DIRECTV.

*Shaw Communications Inc.:*

Ken Stein, Senior Vice-President, Corporate and Regulatory  
Affairs.

*Congreso Ibero-Americano de Canada:*

Paul Fitzgerald, Vice-President and Legal Counsel;  
Alan Riddell, Partner, Soloway Wright.

*Coalition of Canadian Arab Professionals and Community Associations:*

Bahija Reghai, Vice-President;  
Sam Roumani, Secretary.

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Louise M. Thibault  
Clerk of the Committee

## MINUTES OF PROCEEDINGS

Sitting No. 13

Thursday, April 29, 2004

The Standing Committee on Industry, Science and Technology met at 11:01 a.m. this day, in Room 308 West Block, the Parliament Building, Ottawa, Ontario, Canada, presiding.

*Members of the Committee present:* Gérard Binet, Paul Crête, Hon. Joe Fontana, Brian Masse, Andy Savoy, Brent St. John, and Hon. Lyle Vanclief.

*Guest Members present:* Jim Abbott for James Rajotte, Roy Bailey for Carol Skelton and Lynne Yelich for Grant Dalton.

*Other Members present:* Carole-Marie Allard.

*Attendance: Library of Parliament:* Lalita Acharya, Analyst.

*Guests:* *Coalition Against Satellite Signal Theft:* Glenn O'Farrell, President and Chief Executive Officer, Canadian Association of Broadcasters; Shan Chandrasekar, President and Chief Executive Office, Asian Television Network; Chris K. K. K., Vice-President, Programming and Government Affairs, Express Vu; Harris D. Boyd, Senior Vice-President, Industry Affairs and Office of Small Systems, Canadian Cable Television Association; Luc Perreault, Vice-President, Communications and Regulatory Affairs, Pelmorex; Édouard Trépanier, Vice-President, Regulatory Affairs, Quebecor Media; Chris Bredt, Partner, Borden Ladner Gervais LLP, representing DIRECTV. *Shaw Communications Inc.:* Ken Shaw, Senior Vice-President, Corporate and Regulatory Affairs. *Congreso Ibero-Americano de Canada:* Paul Fitzgerald, Vice-President and Legal Counsel; Alan Riddell, Partner, Soloway Wright. *Coalition of Canadian Arab Professionals Community Associations:* Bahija Reghai, Vice-President; Sam Roumani, Secretary.

Pursuant to the Order of Reference of Tuesday, February 17, 2004, the Committee resumed consideration of Bill C-2, An Act to amend the Radiocommunication Act.

Witnesses made statements and answered questions.

At 2:14 p.m., the sitting was suspended.

At 2:16 p.m., the sitting resumed.

At 3:14 p.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2004/04/30 7:57 a.m.



**MINUTES OF PROCEEDINGS**  
**STANDING COMMITTEE ON INDUSTRY, SCIENCE AND  
TECHNOLOGY**

Chair: Brent St. Denis, Lib.

**Meeting No. 14**

**Tuesday, May 4, 2004**

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**ORDER OF THE DAY:**

Pursuant to the Order of Reference of Tuesday, February 17, 2004, the Committee commenced consideration of Bill C-2, An Act to amend the Radiocommunication Act

**MEMBERS OF THE COMMITTEE PRESENT:**

Gérard Binet  
Hon. David Collenette  
Brian Masse  
James Rajotte  
Andy Savoy  
Carol Skelton  
Brent St. Denis  
Hon. Lyle Vanclief

**IN ATTENDANCE:**

*Library of Parliament:*

Lalita Acharya, Analyst;  
Sam Banks, Analyst;  
Dan Shaw, Analyst.

**WITNESSES:**

*As Individuals:*

Paul Attallah, Professor, School of Journalism and  
Communication, Carleton University;  
Russell McOrmond;  
Phil Rogers, Partner, Osler, Hoskin & Harcourt.

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Louise M. Thibault  
Clerk of the Committee

## MINUTES OF PROCEEDINGS

Meeting No. 14

Thursday, May 4, 2004

The Standing Committee on Industry, Science and Technology met at 11:10 a.m. this day, in Room 308 West Block, the Parliament Building, Ottawa, Ontario, presiding.

*Members of the Committee present:* Gérard Binet, Hon. David Collenette, Brian Masse, James Rajotte, Andy Savoy, Michael Skelton, Brent St. Denis and Hon. Lyle Vancilief.

*Attendance: Library of Parliament:* Lalita Acharya, Analyst; Sam Banks, Analyst; Dan Shaw, Analyst.

*Guests: As Individuals:* Paul Attallah, Professor, School of Journalism and Communication, Carleton University; Russell McOrmond; Phil Rogers, Partner, Osler, Hoskin & Harcourt.

Pursuant to the Order of Reference of Tuesday, February 17, 2004, the Committee resumed consideration of Bill C-2, An Act to amend the Radiocommunication Act.

Witnesses made statements and answered questions.

At 2:41 p.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

25/05/04 2:14 p.m.





HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 3rd SESSION

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**MINUTES OF PROCEEDINGS**

**STANDING COMMITTEE ON INDUSTRY, SCIENCE AND  
TECHNOLOGY**

Chair: Brent St. Denis, Lib.

**Meeting No. 15**

**Thursday, May 6, 2004**

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**ORDER OF THE DAY:**

Pursuant to the Order of Reference of Tuesday, February 17, 2004, the Committee commenced consideration of Bill C-2, An Act to amend the Radiocommunication Act.

**MEMBERS OF THE COMMITTEE PRESENT:**

Gérard Binet,  
Hon. Gurbax Malhi,  
Brian Masse,  
James Rajotte,  
Carol Skelton,  
Brent St. Denis  
and Hon. Lyle Vanclief.

**ACTING MEMBERS PRESENT:**

Carole-Marie Allard for Hon. Herb Dhaliwal,  
and Benoît Sauvageau for Paul Crête.

**IN ATTENDANCE:**

*Library of Parliament:*  
Lalita Acharya, Analyst.

**WITNESSES:**

*Office of the Privacy Commissioner of Canada:*

Carman Baggaley, Senior Policy Advisor;

Heather Black, Assistant Privacy Commissioner of Canada.

*Royal Canadian Mounted Police:*

Mike McDonell, Chief Superintendent, Director General, Border Integrity, Federal and International Operations.

Heather Black made a statement and, with Carman Baggaley, answered questions.

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Louise M. Thibault  
Clerk of the Committee



Français

## MINUTES OF PROCEEDINGS

Meeting No. 15

Thursday, May 6, 2004

The Standing Committee on Industry, Science and Technology met at 11:15 a.m. this day, in Room 308 West Block, the Vice-Chair, James Rajotte, presiding.

*Members of the Committee present:* Gérard Binet, Hon. Gurbax Malhi, Brian Masse, James Rajotte, Carol Skelton, Brent St. Denis and Hon. Lyle Vanclief.

*Acting Members present:* Carole-Marie Allard for Hon. Herb Dhaliwal and Benoît Sauvageau for Paul Crête.

*In attendance: Library of Parliament:* Lalita Acharya, Analyst.

*Witnesses: Office of the Privacy Commissioner of Canada:* Carman Baggaley, Senior Policy Advisor; Heather Black, Assistant Privacy Commissioner of Canada. *Royal Canadian Mounted Police:* Mike McDonell, Chief Superintendent, Director General, Border Integrity, Federal and International Operations.

Pursuant to the Order of Reference of Tuesday, February 17, 2004, the Committee resumed consideration of Bill C-2, An Act to amend the Radiocommunication Act.

Heather Black made a statement and, with Carman Baggaley, answered questions.

At 11:49 a.m., the sitting was suspended.

Brent St. Denis took the Chair.

At 11:53 a.m., the sitting resumed.

Mike McDonell made a statement and answered questions.

At 12:39 p.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2004/05/11 3:02 p.m.



HOUSE OF COMMONS OF CANADA  
37th PARLIAMENT, 3rd SESSION

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**MINUTES OF PROCEEDINGS**

**STANDING COMMITTEE ON INDUSTRY, SCIENCE AND  
TECHNOLOGY**

Chair: Brent St. Denis, Lib.

**Meeting No. 16**

**Tuesday, May 11, 2004**

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**ORDER OF THE DAY:**

Pursuant to the Order of Reference of Tuesday, February 17, 2004, the Committee commenced consideration of Bill C-2, An Act to amend the Radiocommunication Act.

**MEMBERS OF THE COMMITTEE PRESENT:**

Gérard Binet,  
Hon. Joe Fontana,  
James Rajotte  
and Brent St. Denis.

**ACTING MEMBER PRESENT:**

Christiane Gagnon for Paul Crête.

**OTHER MEMBER PRESENT:**

Carole-Marie Allard.

**IN ATTENDANCE:**

*Library of Parliament:*  
Lalita Acharya, Analyst;  
Sam Banks, Analyst;  
Dan Shaw, Analyst.

**WITNESSES:**

*Coalition for Freedom of Choice in Satellite TV:*

Giovanni Rapana, Member of the Italian Community and President of the Committee of Italians Living Abroad;

Sonia Moujaes, Member of the Lebanese Community;

Maria-Terese Calderone, Member of the Venezuelan Community, Responsible for the Development of Terra Terra, Member of the Amis Québec-Vénézuéla Association.

*Fortec Communications Inc.:*

David McGrath, General Manager.

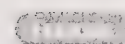
*As an Individual:*

Francisco Salvador, Member of the Portuguese Community.

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Louise M. Thibault  
Clerk of the Committee





## MINUTES OF PROCEEDINGS

Meeting No. 16

Tuesday, May 11, 2004

The Standing Committee on Industry, Science and Technology met at 11:11 a.m. this day, in Room 308 West Block, the Chair, Brent St. Denis, presiding.

*Members of the Committee present:* Gérard Binet, Hon. Joe Fontana, James Rajotte and Brent St. Denis.

*Acting Members present:* Christiane Gagnon for Paul Crête.

*Other Members present:* Carole-Marie Allard.

*In attendance: Library of Parliament:* Lalita Acharya, Analyst; Sam Banks, Analyst; Dan Shaw, Analyst.

*Witnesses: Coalition for Freedom of Choice in Satellite TV:* Giovanni Rapana, Member of the Italian Community and President of the Committee of Italians Living Abroad; Sonia Moujaes, Member of the Lebanese Community; Maria-Terese Calderone, Member of the Venezuelan Community, Responsible for the Development of Terra Terra, Member of the Amis Québec-Vénézuëla Association. *Fortec Communications Inc.:* David McGrath, General Manager. *As an Individual:* Francisco Salvador, Member of the Portuguese Community.

Pursuant to the Order of Reference of Tuesday, February 17, 2004, the Committee resumed consideration of Bill C-2, An Act to amend the Radiocommunication Act.

The witnesses made statements and answered questions.

Joe Fontana gave notice of the following motion:

### **“Task Force on Increased Choice and Diversity**

The Committee has determined that a two-phased approach is required to address the black market and the grey market that provides for more enforcement along with more choice for consumers.

Accordingly the Committee recommends that the Ministers of Industry and Canadian Heritage strike a small Review Panel for public consultations to research and provide recommendations on how to increase competition and choice in terms of new services while still supporting the fundamental objectives of the Broadcasting Act.

Recognizing that some Canadians find it necessary to access programming through the grey market the Panel's recommendations should include ways to ensure that more popular foreign and third language services are available within the Canadian broadcasting system.

The Panel should provide a report by the Fall of 2004.”



At 12:35 p.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2004/05/11 3:37 p.m.

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## MINUTES OF PROCEEDINGS

Meeting No. 17

Thursday, May 13, 2004

The Standing Committee on Industry, Science and Technology met at 11:02 a.m. this day, in Room 308 West Block, the Chair, Brent St. Denis, presiding.

*Members of the Committee present:* Gérard Binet, Paul Crête, Hon. Joe Fontana, James Rajotte, Andy Savoy and Brent St. Denis.

*Acting Members present:* Carole-Marie Allard for Hon. Herb Dhaliwal, Pat O'Brien for Hon. David Collenette, Massimo Pacetti for Hon. Lyle Vanciel and Diane St-Jacques for Marlene Jennings.

*In attendance: Library of Parliament:* Lalita Acharya, Analyst; Sam Banks, Analyst.

*Witnesses: Department of Industry:* Michael M. Binder, Assistant Deputy Minister, Spectrum, Information Technologies and Telecommunications; Jan Skora, Director General, Radiocommunications and Broadcasting Regulatory Branch; John Cunningham, Counsel, Legal Services. *Department of Canadian Heritage:* René Bouchard, Director General, Broadcasting Policy and Innovation. *Canadian Radio-Television and Telecommunications Commission:* Jacques Langlois, Director General, Broadcasting Policy Group; Marc O'Sullivan, Executive Director, Broadcasting Directorate. *Royal Canadian Mounted Police:* Ken Hansen, Superintendent, Director, Federal Enforcement Branch. *Canada Border Services Agency:* Craig Turner, Director, Border Compliance and Monitoring Division.

Pursuant to the Order of Reference of Tuesday, February 17, 2004, the Committee resumed consideration of Bill C-2, An Act to amend the Radiocommunication Act.

The witnesses answered questions.

At 11:11 a.m., the Committee proceeded to the consideration of matters related to Committee business.

The Committee proceeded to the consideration of the notice of motion of Joe Fontana.

Joe Fontana moved, — That the Committee believes that a two-phased approach is required to address the black market and the grey market that provides for more enforcement along with more choice for consumers.

Accordingly the Committee recommends that the Ministers of Industry and Canadian Heritage strike a small Review Panel for public consultations to research and provide recommendations on how to increase competition and choice in terms of new services while still supporting the fundamental objectives of the *Broadcasting Act*.

Recognizing that some Canadians find it necessary to access programming through the grey market the Panel's recommendations should include ways to ensure that more popular foreign and third language services are available within the Canadian broadcasting system.

The Panel should provide a report by the Fall of 2004.

Debate arose thereon.

James Rajotte moved, — That the motion be amended by adding after paragraph 3 the following:

"In the event that significantly more foreign and third-language services cannot be profitably distributed within the Canadian broadcasting system, this Panel should research and provide recommendations on the advisability of legalizing the grey market."

After debate, the question was put on the amendment of James Rajotte and it was negatived.



Carole-Marie Allard moved, — That the motion be amended in paragraph 2 by deleting the words “while still supporting the fundamental objectives of the *Broadcasting Act*”.

After debate, by unanimous consent, the amendment was withdrawn.

Paul Crête moved, — That the motion be amended by

(a) adding in paragraph 2, after the words “*Broadcasting Act*” the following:

“including protecting the interests of Canadian industry, and the *Canadian Multiculturalism Act*.”

(b) adding, in paragraph 4, after the words “Fall of 2004” the following:

“to the two Ministers, and to the House of Commons Standing Committee on Industry, Science and Technology and the Standing Committee on Canadian Heritage”.

After debate, the question was put on the amendment of Paul Crête and it was agreed to.

Paul Crête moved, — That the motion be amended in paragraph 3, by adding after the words “the Canadian broadcasting system” the following:

“if they are not available presently on the Canadian broadcasting system”.

After debate, the question was put on the amendment of Paul Crête and it was negatived.

After debate, the question was put on the motion, as amended, and it was agreed to.

On motion of Joe Fontana, it was agreed, — That the Chair be authorized to write, on behalf of the Committee, to the Minister of Industry and to the Minister of Canadian Heritage, informing them of the motion agreed to by the Committee on Thursday, May 13, 2004, concerning the establishment of a Review Panel on Increased Choice and Diversity.

At 12:05 p.m., the Committee resumed consideration of Bill C-2, An Act to amend the Radiocommunication Act.

Questioning of the witnesses resumed.

At 12:42 p.m., the Committee adjourned to the call of the Chair.

Louise M. Thibault  
Clerk of the Committee

2004/05/20 11:29 a.m.















